EUROPEAN
COMMISSION

Brussels, XXX
[…](2025) XXX draft

COMMISSION DELEGATED REGULATION (EU) …/...

of XXX

supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, temperature controls, solar devices, shower water heat recovery devices and packages of those products, amending and repealing Commission Delegated Regulation (EU) No 811/2013

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The EU has longstanding objectives to boost energy efficiency and reduce its greenhouse gas emissions. These objectives go hand in hand with other objectives to reduce the EU's environmental impact. In December 2019, the Commission presented the European Green Deal ([1]) to strengthen these objectives and to serve as the cornerstone of its strategy to fulfil the United Nations' 2030 Agenda for Sustainable Development ([2]). In September 2020, the Commission presented a climate target plan for 2030 ([3]). In line with the Paris Agreement ([4]), this climate target plan reflected the need for energy efficiency and renewable energy to play a greater role in the efforts to achieve a net 55% reduction in greenhouse gas emissions by 2030 compared with the 1990 baseline and do so most cost-effectively. The European Parliament and the Council subsequently agreed to reduce greenhouse gas emissions by this amount by 2030. The Commission followed suit by adopting the EU 'Fit for 55%' package ([5]), with a view to achieving the necessary cut in greenhouse gas emissions.

One pillar of the climate target plan and of the 'Fit for 55%' package is energy efficiency. In 2023, the Energy Efficiency Directive ([6]) upgraded the goal of reducing collective EU final energy consumption to 11.7% by 2030. In this context, the ecodesign and energy-labelling rules contribute to the Union's energy and decarbonisation objectives. Energy labelling enables customers to identify and compare energy-efficient appliances with the aim of encouraging them to purchase products that are more efficient. Ecodesign measures remove the worst-performing appliances from the market by setting minimum energy-efficiency requirements below which no appliance can be placed on the market. Periodical reviews of the requirements under these two frameworks ensure that mandatory requirements over the same products keep pace with market developments and technical progress.

Commission Delegated Regulation (EU) 811/2013 ([7]) ('***the previous Regulation***') established energy labelling requirements for the placing on the market or putting into service of space heaters including gas boilers and heat pumps, and combination heaters, providing both space and water heating, with a rated heat output of 70 kilowatts or less. It also regulated packages offered to end users combining at least a space or combination heater with at least a

1 The European Green Deal, COM(2019) 640 final.
2 Transforming our world: the 2030 Agenda for Sustainable Development.
3 Stepping up Europe's 2030 climate ambition. Investing in a climate-neutral future for the benefit of our people (COM/2020/562 final).
4 OJ L 282, 19.10.2016, p. 4.
5 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality, COM(2021) 550 final.
6 Directive (EU) 2023/1791 of the European Parliament and of the Council of 13 September 2023 on energy efficiency and amending Regulation (EU) 2023/955. (OJ L 231, 20.9.2023, p. 1. ELI: http://data.europa.eu/eli/dir/2023/1791/oj).
7 Commission Delegated Regulation (EU) No 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device. (OJ L 239, 6.9.2013, p. 1, ELI: http://data.europa.eu/eli/reg_del/2013/811/oj).

temperature control or solar device. In order to ensure customers informed purchasing decisions, products must be accompanied by an energy label showing their energy efficiency class, ranging from A+++ (most efficient) to G (least efficient).

Regulation (EU) 2017/1369 ([8]) ("***the Energy labelling Framework Regulation***") in its Article 11(5) requires that the Commission reviews the requirements set for space and combination heaters and related packages under Commission Delegated Regulation (EU) 811/2013 and if appropriate adopt a delegated act establishing a homogeneous A to G scale by 2 August 2026 and in any event, no later than 2 August 2030.

The ecodesign and energy labelling working plan 2022-2024 ([9]) identified as one of its main priorities the review of the existing ecodesign and energy-labelling measures for space and combination heaters. It also stressed that ecodesign and energy labelling should contribute more to the circular economy, for example through systematic efforts to tackle material-efficiency issues such as durability and recyclability. The staff working document accompanying the "Ecodesign for sustainable products and energy labelling working plan for the period 2025-2030" ([10]) has confirmed that the assessment of more comprehensive up-to-dated requirements for this product group is progressing with a view to have ecodesign and energy labelling measures adopted before the end of 2026. The review study launched in 2019 identified several barriers to the adoption of energy-efficient alternatives to traditional fuel boilers as follows:

– There is a need to simplify and improve comparisons across different technologies in relation to the previous regulation where energy-efficiency classes were designed to promote the use of condensing boilers (rated A and B) and renewable systems such as heat pumps (rated A+ to A+++). This regulation is not effective in driving the transition to renewable heating solutions such as heat pumps. Moreover, this range with multiple A ratings creates confusion among customers with have difficulties in distinguishing those products offering superior efficiency. The shift from the previous energy-efficiency grading system to a simpler A to G scale represents a significant effort to streamline consumer understanding and facilitate the transition to more sustainable heating technologies.

– Calculations of energy performance that under the previous Regulation relied on the outdated Primary Energy Factor (PEF) of electricity (called conversion coefficient (CC) in the present Regulation) of 2,5 cause the primary energy savings of heat pumps to be underestimated. A revised PEF value of 1,9, set in Article 31(3) of the Energy Efficiency Directive ([11]) will more accurately mirror the current EU average

[8] Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU. (OJ L 198, 28.7.2017, p. 1, ELI:http://data.europa.eu/eli/reg/2017/1369/oj).

[9] Communication from the Commission 'Ecodesign and Energy Labelling Working Plan 2022-2024' (2022/C 182/01) (OJ C 182, 4.5.2022, p. 1).

[10] "Implementation of the Ecodesign and Energy Labelling Working Plan 2022-24" SWD accompanying the Communication from the Commission 'of 16/04/2025).Ecodesign for Sustainable Products and Energy Labelling Working Plan 2025-2030' (COM/2025/187 final).

[11] Directive (EU) 2023/1791 of the European Parliament and of the Council of 13 September 2023 on energy efficiency and amending Regulation (EU) 2023/955 (OJ L 231, 20.9.2023, p. 1. ELI: http://data.europa.eu/eli/dir/2023/1791/oj).

electricity mix, which has become more efficient and incorporates a higher proportion of renewable energy sources.

– It is appropriate to provide clarity for energy labelling obligations for packages defined as those integrated by a single manufacturer. Labelling obligations for packages mirror ecodesign requirements that require manufacturers to assess and communicate the enhanced benefits of combining individual products[12]. The present Regulation clarifies that packages' registering and labelling obligations do not affect any other labelling and information obligations on the individual components of these packages set under this Regulation.

– In order to ensure better informed decision dealers' obligations in relation to label(s) provided by the suppliers which include installers' written commercial offers describing possible suitable products to potential customers are clarified.

– Providing detailed information on heat pump's efficiency and capacity under different temperature regimes, including on their high temperature regimes helps customers to understand heat pump performances in conditions that might be directly applicable to their local climate or usage patterns.

– The test and calculation methods should be updated to take recent technological advances into account. Additionally, there is too much complexity – and therefore a need for simplification – in the test and calculation methods for packages and for solar devices.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Article 7 of Commission Delegated Regulation (EU) 811/2013 requires the Commission to review the requirements set under that Regulation in the light of technological progress. The Commission has analysed the technical, environmental and economic aspects of space and combination heaters as well as real-life user's behaviour and analysed possible options for improvement energy efficiency and other relevant product aspects via energy labelling and ecodesign requirements, and their impact.

The review was undertaken in close cooperation with stakeholders and interested parties from the EU and non-EU countries. The review study was finalised in 2021.

The results of the review were made public and presented to the Consultation Forum established in accordance with Article 14 of Regulation (EU) 2017/1369 on 27 September 2021 (the 'Ecodesign and energy labelling Consultation Forum"). A second meeting of this Forum was held on 27 April 2023. The minutes, working documents and stakeholder written contributions received before and after these meetings are available on CIRCABC ([13]).

The process of assessing relevant requirements under this regulation is supported by an impact assessment. A call for evidence to inform this impact assessment was published on the Commission *Have your Say* portal website from 3 March 2022 to 1 April 2022. The impact assessment was submitted to the Regulatory Scrutiny Board on 28 October 2022 and received a positive opinion on 1 December 2022.

[12] Commission Regulation (EU) …/2026 setting ecodesign requirements for space heaters, combination heaters, temperature controls, solar devices, shower water heat recovery devices and packages of those products, amending and repealing Commission Regulation (EU) 813/2013 and repealing Council Directive 92/42/EEC *[the date of publication, OJ L XXX ELI…– OP – Please insert reference]*.

[13] ecodesign - Library.

The draft Regulation and its annexes were published for feedback during the period between XXX and XXX. [TO BE COMPLETED]

During this period, XXXX contributions were submitted. [TO BE COMPLETED]

The draft delegated regulation and its annexes were discussed with Member States at the Expert Group on Energy Labelling (E02854) on XX/XX/2025. The Commission took note of the comments of Member States' experts to finalise the text of the Commission delegated regulation before its adoption.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The present Regulation supplements the Energy Labelling Framework Regulation by laying down detailed energy-labelling and information requirements applicable to space heaters, space and combination heaters, solar devices, shower water heat recovery devices, and to packages where a single manufacturer combines a heater with at least one of the other performance enhancer products indicated in this regulation and that is placed on the market or put into service as a finished product.

Article 1: Scope

This Article outlines that energy labelling requirements under the present regulation are set for (i) space and combination heaters with a standard-rated heat output of 70 kW or less; (ii) packages of at least, one space or combination heater operating in a combined manner with one or more temperature control, or one or more solar device(s) or one or more shower-water heat-recovery device(s) only when this combination is integrated by a single manufacturer and it is placed on the market or put into service as a finished energy product. Additionally, it sets individual specific information requirements for temperature controls, solar devices and shower-water heat-recovery devices, whether or not integrated into packages. In order to facilitate compliance, the scope of the present regulation is, to the extent possible, aligned with the one retained for in the Commission Regulation (EU) XXX/2026 ([14]) *[– OP – Please insert reference]*, setting ecodesign requirements. However, the maximum threshold for heaters submitted to energy labelling requirements that must remain limited to those for which energy labelling plays its role as relevant and useful for customers making purchasing decisions. Article 1 also outlines in a more precise manner than the previous regulation, those categories of space and combination heaters which are exempted.

Article 3: Obligations of suppliers

This Article requires suppliers (i) to accompany heaters and/or packages with printed label(s), (ii) to enter the relevant information in the product database for all products covered by the present regulation, (iii) to make available electronic labels and electronic product-information sheets and/or package-information sheets to dealers; iv) and to ensure that visual advertisements and technical promotional material include information on the energy class

[14] Commission Regulation (EU) […/2026] setting ecodesign requirements for space heaters, combination heaters, temperature controls, solar devices, shower water heat recovery devices and packages of those products, amending and repealing Commission Regulation (EU) 813/2013 and repealing Council Directive 92/42/EEC *[the date of publication OJ L XXX ELI… – OP – Please insert reference]*.

and range of energy efficiency classes of the labels for space or combination heaters, and/or packages.

Article 4: Obligations of dealers

This Article specifies dealers' basic obligations to display labels close to heaters and/or packages in a visible manner also for online distance selling. Additionally, it clarifies that installers offering heaters and/or packages via written commercial offers are also to include the label(s) in their written offers. Finally, it refers to the specific requirements applicable to visual advertisements and technical promotional material and for distance selling including online selling under Annex VI.

Article 5: Measurement and calculation methods

This Article lays down an obligation for suppliers to use the calculation methods set out under Annex VII and the transitional methods set out under Annex VIII.

Article 6: Verification procedure for market-surveillance purposes

This Article lays down the obligation to use the procedure defined in Annex IX for market surveillance purpose.

Article 7: Review

This Article mandates the Commission to carry out a review of this Regulation eight years after its date of entry into force to take into account technological advancements, market changes and circular-economy considerations.

Article 8: Amendment of the Commission Delegated Regulation (EU) N° 811/2013

This article amends Annexes I and VII to the Commission Regulation (EU) 811/2013 to ensure that the "out of the box" mode becomes mandatory is part of the general testing conditions for heaters covered by Commission Regulation (EU) 811/2013 and that the nitrogen correction formula indicated for other fuels in Communication 2014/C 207/02 ([15]), becomes applicable to kerosene.

Article 9: **Repeal**

This Article indicates that the present Regulation repeals Regulation (EU) 811/2013 four years after its date of entry into force.

Article 10: Transitional provisions

It ensures a transitional regime in relation to the measurement of sound power level for heat pumps and hybrid heat pumps whose first unit has been placed on the market put into service before four years following the entry into force of the present Regulation.

Article 11: Entry into force and application

[15] OJ C 207, 3.7.2014, pp. 2–21.

This Regulation enters into force 20 days after publication. It establishes that rescaled labels must be in shops and online, 24 months after its entry into force. In preparation of this and as required under the Energy labelling framework Regulation, suppliers of products placed on the market or put into service four months before the date indicated as date of mandatory display of rescaled labels must ensure that each product is accompanied with both the existing and the rescaled label.

Specific application dates are set for the compensation test method should initially start to apply to models whose first unit is placed on the market or put into service four years after the entry into force of the present regulation and become applicable to concerned heat pumps six years after the entry into force of the present regulation.

Measurements of sound power levels of heat pumps and hybrid heat pumps that should become closer to maximum real-life value also following an staggered approach.

The Annexes lay down the technical specifications as follows:

Annex II: Energy-efficiency classes and acoustic airborne-noise-emission classes

This Annex abolishes existing classes up to A+++, which are now rescaled into classes from A to G. It also provides for an empty A class and a rescaling of the rest of the classes from B to G, while setting a new noise-emission scale.

Annex III: Label

This Annex updates the content of the label and its design to provide customers with more accurate information so that they can make better-informed decisions by comparing features across product types. In order to better inform on the saving in terms of energy use of the different energy efficiency classes, efficiency thresholds are indicated for each class arrow on the label. The label also contains wide-ranging information on whether the product: (i) provides cooling or free cooling; (ii) has a water-heating function; (iii) is interoperable; and (iv) includes a heat pump, in which case an icon identifies refrigerants that are not fluorinated gases.

Annex IV: Product-information sheet and package-information sheet

This Annex lays down the minimum content to be entered in the product database by suppliers. One of the novelties introduced by this Annex is that suppliers can display, present and adapt the format of the relevant information sheets to their specific products. Improved information on performance at test levels allows for more accurate energy-efficiency information for heat pumps and hybrid heat pumps. Specific sections of this Annex are dedicated to temperature controls, solar devices and shower-water heat-recovery devices whether or not integrated into packages but also to product information on the interoperability characteristics of energy-smart appliances. Finally, this Annex states that digital access to comprehensive information available on the product database should be enabled by including the relevant references in user manuals or other documentation accompanying the product.

Annex VI: Information to be provided in visual advertisements, in promotional material, and in distance selling

Requirements about displaying products' energy class and range of classes of the label plus making available relevant information sheets in the case of distance selling, including via the internet, have been streamlined. These requirements apply to products and packages.

Annex VII: Measurements and calculations

The measurement and calculation methods include: (i) a completely revised calculation method for solar devices and those packages that incorporate solar devices; (ii) a new method to establish cooling performances; (iii) the integration of the impact of passive flue heat-recovery devices (PFHRDs) on the water-heating energy efficiency of combination heaters; and (iv) the integration of the impact of shower-water heat-recovery devices on the water-heating energy efficiency of packages. The measurement and calculation method for ground-source heat exchangers has been simplified by selecting only one temperature level for a ground-source heat exchanger. Finally, the primary energy factor has been updated in accordance with the Energy Efficiency Directive.

Annex VIII: Transitional methods

In the absence of harmonised standards, the transitional calculation methods set out in Annex VIII should be used to help verify whether space and combination heaters comply with this Regulation.

Annex IX: Product-compliance verification by market-surveillance authorities

Verification tolerances have been made stricter where possible and new tolerances have been added for new parameters.

Annex X on amendments to Commission Regulation 811/2013

It provides for amendments to Annex VII to Commission Regulation (EU) 811/2013 to ensure that the nitrogen correction formula indicated for other fuels, as referenced in Communication 2014/C 207/02, becomes applicable to kerosene and that the measurement of the water heating energy efficiency of combination heaters is tested in "out of the box"-mode'.

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supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, temperature controls, solar devices, shower water heat recovery devices and packages of those products, amending and repealing Commission Delegated Regulation (EU) No 811/2013

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU ([1]), and in particular Articles 11(5) and 16(1) thereof,

Whereas:

(1) Space and combination heaters were part of the measures envisioned under the ecodesign and energy-labelling working plan 2022-2024 ([2]) as having an estimated potential to deliver in 2030 total annual primary energy savings in excess of 170 TWh and to reduce greenhouse gas emissions by approximately 24 million tonnes per year identified among the product groups for which energy-labelling requirements to be reviewed. The ecodesign for sustainable products and energy labelling working plan for the period 2025-2030 ([3]) confirmed that work on energy labelling and ecodesign requirements for space and combination heaters was in progress.

(2) Space and combination heaters have the highest energy consumption among all products regulated under the ecodesign and energy-labelling framework. According to the latest information available, heating of space and water represents around three quarters of final energy consumed by households. Accurate, relevant and comparable information on the specific energy consumption of heaters allows customers to predict the impact of their choices on their energy bills. This constitutes a critical contribution to the efforts towards reducing energy consumption and the decarbonisation of buildings.

(3) The Commission introduced energy-labelling requirements for space heaters in Delegated Regulation (EU) No 811/2013 ([4]) (the previous regulation). Article 7 of that

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1 OJ L 198, 28.7.2017, p. 1, ELI: http//data.europa.eu/eli/reg/2017/1369/oj.

2 Communication from the Commission "Ecodesign and Energy Labelling Working Plan 2022-2024", OJ C182 4.5.2022, p. 1.

3 Communication from the Commission "Ecodesign for Sustainable Products and Energy Labelling Working Plan 2025-2030" (COM (2025) 187 final).

4 Commission Delegated Regulation (EU) No 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and

Delegated Regulation requires the Commission to review its requirements in the light of technological progress no later than five years after its entry into force. That review involves assessing, inter alia, the market shares of various types of heaters and the appropriateness of including passive flue heat-recovery devices in the scope of Delegated Regulation (EU) No 811/2013.

(4) The review shows that the energy-labelling measures set out in the previous regulation and the ecodesign measures set out in Commission Regulation (EU) No 813/2013 ([5]) helped to reduce final energy consumption by 25 TWh/year and greenhouse gas emissions by 6 MtCO2eq/year in 2020, as compared to a business-as-usual scenario. Aspects of space and combination heaters, identified in the review as significant for the purposes of reviewing the previous regulation, are: (i) the consumption of energy; (ii) emissions of nitrogen oxides linked to fuel combustion and (iii) noise emissions during the use phase.

(5) Space and combination heaters with equivalent functionality exhibit a wide disparity in terms of water heating energy efficiency and standing loss. The scope for reducing their energy consumption is significant and includes combining space and combination heaters with appropriate solar devices and/or temperature controls and/or shower-water heat-recovery devices.

(6) According to the impact assessment shows new ecodesign and energy-labelling measures could reduce the final energy consumption and greenhouse-gas emissions by 60 TWh/year and 12 MtCO2-eq/year respectively by 2030 in comparison to a reference scenario. The results of the review were made public and presented to the Consultation Forum established in accordance with Article 14 of Regulation 2017/1369.

(7) To ensure that labels accurately communicate the products most innovative features while simplifying compliance for manufacturers, it is appropriate that the scope of the present regulation is consistent with the one retained for ecodesign requirements in the Commission Regulation (EU) XXX/2026 ([6]). In this vein, energy labelling requirements should be set for space heaters that include a cooling function, on combination heaters with a water-heating load profile of 3XL and 4XL and on hybrid heat pumps, as these are also subject to ecodesign requirements. On the contrary, energy labels should remain limited to heaters up to a maximum standard-rated heat output of 70 kW, as these products are the ones most commonly used for heating residential buildings and because this energy labelling regulation mainly intends to inform residential customers.

(8) For reasons of legal certainty and clarity, it is appropriate that the new updated and more comprehensive energy labelling requirements set under the present regulation fully replace those set under the previous regulation as from its entry into application.

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packages of combination heater, temperature control and solar device, OJ L 239, 6.9.2013, p. 1, ELI http//data.europa.eu/eli/reg_del/2013/811/oj.

5 Commission Regulation (EU) No 813/2013 of 2 August 2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for space heaters and combination heaters OJ L 239, 6.9.2013, p. 136, ELI: http//data.europa.eu/eli/reg_del/2013/811/oj.

6 Commission Regulation (EU) […/2026] setting ecodesign requirements for space heaters, combination heaters, temperature controls, solar devices, shower water heat recovery devices and packages of those products, amending and repealing Commission Regulation (EU) 813/2013 and repealing Council Directive 92/42/EEC *[the date of publication, OJ L XXX ELI… – OP – Please insert reference]*.

(9) In order to inform customer on the potential of solar devices and shower-water heat-recovery devices to increase space and/or water heating energy efficiency, it is appropriate to set the relevant information requirements independently of whether they are or not integrated in a package. It is thus relevant to ensure that labels provide to customers accurate and meaningful information on the overall energy performance of a specific combination of one space or combination heater with at least one solar device and/or shower-water heat-recovery device (package) placed on the market or put into service by the same supplier.

(10) For reasons of legal certainty, it is necessary to clarify that only those heaters specifically designed for using biogas or bioliquids and which are not suitable for the use of other gaseous or liquid fuels are excluded from the present regulation. Also, to avoid potentially contradictory requirements in terms of emissions and energy efficiency, space heaters covered by Directives 2010/75/EU and (EU) 2015/2193 are not in the scope of this Regulation.

(11) In order to facilitate customers' informed purchase decisions, dealers should display in a visible manner, including for online distance selling, the label provided by the supplier for the concerned product and/or package. Dealers should make available to customers the relevant product and package information sheets. In the same vein of facilitating customers' informed choices, installers which as part of their commercial activity submit written offers either in paper or electronically to their potential customers, should include in their written offers the energy label of the product and/or the package either in printed or in electronical format depending on the format of their written offer.

(12) To make better informed purchase decisions, customers need simple, relevant and comparable information about the energy use and other key features of products available. A consistent classification going A-to-G for products should therefore replace the previous A+++ /A++/A+ classes. In the same vein, the energy efficiency boundaries for each class should be visible on the label.

(13) In order to favour customers' better understanding and comparison of energy performances of space heaters and combination heaters, the design of energy labels across different product categories should be harmonised. Furthermore, ensuring consistency between the energy classes scale for water-heating for combination boilers and the one of dedicated water heaters helps customers to understand and compare different heating and water-heating solutions.

(14) Noise emissions are one of the product's characteristics that, in order to be more accurately perceived by customers, should be part of the energy label. In addition to the information on indoor noise, the outdoor noise is more and more relevant as often constrained by local legislation, and consequently it should also be communicated via the energy label. To help customers to compare amongst various products, the information on noise should be communicated via adapted A to E scales for both indoor and outdoor noise.

(15) Where relevant, to accelerate the development of demand response, energy labels for energy smart heaters and packages should also include information on the product's interoperability characteristics.

(16) To support the deployment of refrigerants with low global warming potential, labels of heat pumps should also bear an indication of the non-fluorinated refrigerants they contain.

(17) Certain heat pumps and hybrid heat pumps can replace boilers even at high water temperature regime in the radiators. To help customers having such installations to take informed decisions, manufacturers of these products should be allowed to supply additional information on the maximum heat output and efficiency levels at high temperature regime, in addition to the standard medium and low temperature regimes used in this regulation and under different climate conditions.

(18) To ensure customers' access to detailed information available on the product's database after purchase, the necessary references should be part of the user manual or other documentation provided with the product and/or package.

(19) Calculation methods and measurement procedures should be updated and improved to reflect the latest technological and methodological advancements. In particular, the calculation method for solar devices and for those packages that incorporate solar devices should be improved so that the energy efficiency of such systems can be assessed more easily.

(20) Shower-water heat-recovery devices, when incorporated by a manufacturer into a package, have the potential to reduce the amount of energy required to heat shower water. Such devices should therefore be regulated as a factor increasing water-heating energy efficiency. Flue heat-recovery devices increase the energy efficiency of combination boilers and packages and should consequently be integrated in the method to calculate the water heating energy efficiency of these products.

(21) The cooling function is of increasing importance with the rapid climate change in Europe and accordingly customers need more information on this function to make informed choices and purchase more efficient products. A standardized method to assess the cooling capability and efficiency should then be developed and information on performance and efficiency should also be supplied to customers via the product information sheet.

(22) Water-to-water heat pumps have been tested in either ground-source conditions (with brine at 0 °C) or ground-water conditions (with water at 10 °C). For a matter of simplification and since ground-source conditions are more common, those conditions should be used for energy labelling under this Regulation. Additionally, in order to better reflect average climate conditions, the ground-source testing conditions should be changed to 5 °C, instead of the 0 °C presently used, which is representative of design conditions.

(23) Electricity consumption should be multiplied by the default Primary Energy Factor for the electricity conversion coefficient of 1,9 set out in Article 31(3) of the Energy Efficiency Directive ([7]) when calculating the energy efficiency values for seasonal space heating, seasonal space cooling and water heating, as they are primary energy efficiency metrics.

(24) In order to provide a more accurate assessment of the overall heating performance of cogeneration space heaters, the method to calculate their energy efficiency should be refined to take into account the relative share of heat supplied by the micro-cogeneration component alone. In addition, to reward the potential of micro-cogeneration to displace traditional power plants and avoid electric grid losses, a

[7] Directive (EU) 2023/1791 of the European Parliament and of the Council of 13 September 2023 on energy efficiency and amending Regulation (EU) 2023/955 (OJ L 231, 20.9.2023, p. 1. ELI: http://data.europa.eu/eli/dir/2023/1791/oj).

higher primary energy factor (PEF) for electricity of 2,65 should be used to convert electricity generated into primary heat in the calculation of the space and water heating efficiencies.

(25) It is appropriate to enhance legal certainty while ensuring a level playing field when assessing water heating performance of combination heaters under and in the measurement and calculation of NOx emissions when using kerosene and its related test method in the application of Commission Delegated Regulation (EU) 811/2013. Consequently Regulation (EU) 811/2013 should be amended. These amendments should take effect from the date of entry into force of the present regulation and until the date of repeal of Commission Delegated Regulation (EU) 811/2013 by the present regulation.

(26) In order to provide for a smooth implementation of rescaled labels that avoids confusion on the part of customers, rescaled labels should be displayed both in shops and online as from *dd.mm.yyyy [a date 48 months after its entry into force – OP – Please insert reference]*. *In addition,* during a period of four months preceding the date of mandatory display of rescaled labels, suppliers should accompany each product, including packages, with printed copies of both the existing label and the rescaled label.

(27) In order to take into account practical implementation constraints and related economic impacts, the shift to the compensation test method for heat pumps of 70 kW or less and hybrid heat pumps, and the new noise test conditions for heat pumps 70 kW or less and hybrid heat pumps should be implemented initially on new models whose first unit has been first placed on the market by or after dd.mm.yyyy *[48 months after entry into force of this regulation – OP – Please insert reference]* and subsequently apply to all concerned heaters placed on the market or put into service by or after dd.mm.yyyy *[the date of entry into force of this Regulation plus 72 months – OP – Please insert these references]*.

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation shall apply to the energy labelling and the provision of supplementary information of:

   (i) space heaters and combination heaters with a standard-rated heat output of 70 kW or less;

   (ii) packages that consist of a space heater or a combination heater referred to in point (i) combined with one or more temperature controls and/or one or more solar devices, and/or one or more shower-water heat-recovery devices and that are integrated by a single manufacturer and offered to customers as a single finished product.

2. It also applies to the provision of supplementary information of:

   (i) solar devices;

   (ii) temperature controls;

   (iii) shower-water heat-recovery devices.

3. This Regulation does not apply to:

(a) heaters specifically designed for using biogas or bioliquids, unless they are also suitable for the use of other gaseous or liquid fuels;

(b) heaters using solid fuels;

(c) heaters within the scope of Directives 2010/75/EU ([8]) and (EU) 2015/2193 ([9]) of the European Parliament and of the Council;

(d) cogeneration space heaters with a rated electric power output of 50 kW or above.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

(1) 'heater' means any of the following:

(a) a space heater;

(b) a combination heater;

(2) 'space heater' means a device that:

(a) provides heat to a water-based heat-distribution system in order to reach and maintain at a desired level the indoor temperature of an enclosed space such as a building, a dwelling or a room, whether or not it also provides cooling;

(b) is equipped with one or more heat generators;

(3) 'heat generator' means the part of a heater that generates the heat;

(4) 'combination heater' means a space heater that is designed to also provide hot drinking or sanitary water at given temperatures, quantities and flow rates during given intervals, and is to be connected to an external supply of drinking or sanitary water;

(5) 'temperature control' means the equipment that interfaces with the customer regarding the values and timing of the desired air temperature, and communicates relevant data to an interface of the heater, such as a central processing unit, thus helping to regulate the indoor air temperature;

(6) 'solar device' means the product and package component that consists of one or more solar thermal collectors and possibly one or more solar hot-water storage tanks, collector pumps and controls, that is not equipped with a heat generator other than a backup immersion heater and is intended to supply hot water for space heating and/or water heating;

[8] Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17, ELI: http://data.europa.eu/eli/dir/2010/75/oj).

[9] Directive (EU) 2015/2193 of the European Parliament and of the Council of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants (OJ L 313, 28.11.2015, p. 1, ELI: http://data.europa.eu/eli/dir/2015/2193/oj).

(7) ‘shower water heat recovery device’ means the product and package component where heat from spent shower water directed to sewage is transferred instantaneously to incoming cold water supplying the water heater or shower tap;

(8) ‘biogas’ means biogas as defined in Article 2, point (28), of Directive (EU) 2018/2001 of the European Parliament and of the Council ([10]);

(9) ‘bioliquids’ means bioliquids as defined in Article 2, point (32), of Directive (EU) 2018/2001 of the European Parliament and of the Council;

(10) ‘standard-rated heat output’ means the maximum heat output, using a 60/80 temperature regime, of a fuel boiler heater, electric boiler heater, cogeneration heater or the design load of a heat pump or hybrid heat-pump heater, expressed in kW;

(11) ‘60/80 temperature regime’ means the 60 °C inlet and 80 °C outlet water temperature;

(12) ‘boiler heater’ means a fuel boiler heater or an electric boiler heater;

(13) ‘fuel boiler heater’ means a heater using a heat generator combusting gaseous or liquid fuels for heat generation;

(14) ‘electric boiler heater’ means a heater using a heat generator that generates heat using the Joule effect in electric resistance heating elements for space heating;

(15) ‘cogeneration heater’ means a heater using a heat generator that simultaneously generates heat and electricity in one process and possibly including a fuel backup heater;

(16) ‘fuel backup heater’ means a backup heater that generates heat using combustion of liquid or gaseous fuel;

(17) ‘backup heater’ means an auxiliary heater designed to support the primary heater;

(18) ‘design load’ ($P_{design,h}$) means the heat load at reference design conditions, expressed in kW;

(19) ‘‘package information sheet’ means a standard document containing information relating to a package, in printed or electronic form.

(20) ‘compensation method’ means a dynamic test method in which the space-heater is delivering heating (or cooling) to a water loop of representative physical or simulated inertia to maintain an indoor air or water temperature set-point by compensating for a given physical or simulated heating (or cooling) load.

For the purposes of Annexes II to IX, the definitions set out in Annex I shall apply.

Article 3

Obligations of suppliers

1. Suppliers placing on the market or putting into service space heaters or combination heaters shall ensure that:

[10] Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82, ELI: http://data.europa.eu/eli/dir/2018/2001/oj).

(a) a printed label complying with the format and containing the information set out in Annex III is provided with each heater, including heaters that are part of a package;

(b) where specifically requested by the dealer, the product-information sheet is provided in printed form;

(c) the values for the parameters included in the product-information sheet, as set out in Annex IV, are entered in the public part of the product database defined in Article 2(28) of Regulation (EU) 2017/1369 and that, if a given parameter is not applicable for a given product, it is marked as not applicable (N/A) in an appropriate place in the product database;

(d) the content of the technical documentation, as set out in Annex V, is entered in the product database and that, if a given part of the technical documentation does not apply to a given product, it is marked as not applicable (N/A) in an appropriate place in the product database;

(e) any visual advertisement, including on the internet, relating to a specific model of space heater or combination heater, contains the energy-efficiency class and range of energy-efficiency classes available on the label in accordance with Annex VI;

(f) any technical promotional material concerning a specific model of space heater or combination heater, including technical promotional material on the internet, that describes its specific technical parameters, includes the energy-efficiency class of that model and the range of energy-efficiency classes available on the label, in accordance with Annex VI;

(g) an electronic label, in the format and containing the information set out in Annex III, is made available to dealers for each product model;

(h) an electronic product-information sheet, as set out in Annex IV, is made available to dealers for each product via a reference to the model in the product database.

2. Suppliers placing on the market or putting into service solar devices, temperature controls, shower-water heat-recovery devices, whether integrated or not in a package, shall ensure that:

(a) where specifically requested by the dealer, the product-information sheet is provided in printed form;

(b) the values for the parameters included in the product-information sheet, as set out in Annex IV, are entered in the public part of the product database and that, if a given parameter does not apply to a given product, it is marked as not applicable (N/A) in an appropriate place in the product database;

(c) the content of the technical documentation, as set out in Annex V, is entered in the product database and that, if a given component of the technical documentation does not apply to a given product, it is marked as not applicable (N/A) in an appropriate place in the product database;

(d) an electronic product-information sheet, as set out in section Annex IV, is made available to dealers for each product via a reference to the model in the product database.

3. In addition to the obligations set out in paragraphs 1 and 2, suppliers placing packages on the market or putting them into service shall ensure that:

(a) a package label complying with the format and containing the information set out in Annex III is provided, at least with the heat generator;

(b) where specifically requested by the dealer, the package-information sheet is provided in printed form;

(c) the values for the parameters included in the product-information sheet, as set out in Annex IV, are entered in the public part of the product database and that, if a given parameter does not apply to a given package, it is marked as not applicable (N/A) in an appropriate place in the product database;

(d) the content of the technical documentation, as set out in Annex V, is entered in the product database and that, if a given component of the technical documentation does not apply to a given package, it is marked as not applicable (N/A) in an appropriate place in the product database;

(e) any visual advertisement, including on the internet, relating to a specific model of space heater or combination heater contains the energy-efficiency class and the range of energy-efficiency classes available in accordance with Annex VI;

(f) any technical promotional material concerning a specific model of space heater or combination heater, including technical promotional material on the internet, that describes its specific technical parameters, includes the energy-efficiency class of that model and the range of energy-efficiency classes available on the label, in accordance with Annex VI;

(g) an electronic label, in the format and containing the information set out in section 2 of Annex II, is made available to dealers for each package model;

(h) an electronic product-information sheet, as set out in Annex IV, is made available to dealers for each package via a reference to the model in the product database.

4. The seasonal space-heating energy-efficiency class, the water-heating energy efficiency class and the acoustic airborne-noise-emission class of heaters, and where relevant of packages, shall be determined in accordance with Annex II and shall be calculated in accordance with Annex VII.

Article 4

Obligations of dealers

Dealers, shall ensure that for each heater and for each package:

(a) the label of the heater and when applicable the label of the package provided by the supplier are displayed in a manner that ensures that they are clearly visible and unequivocally associated with the relevant heater or package;

(b) in the case of installers submitting written offers for products and/or packages, relevant labels are part of the documentation of the offer;

(c) for distance selling, including on the internet, the label of the heater and where relevant, of the package, the relevant product information sheet and, where applicable, the label and the package information sheet are provided in accordance with Annex VI;

(d) any visual advertisement for a specific model of a heater or a package, including on the internet, makes reference to the energy-efficiency class and the range of energy-efficiency classes available on the label, in accordance with Annex VI;

(e) any technical promotional material that describes the specific technical parameters relating to a specific model of a heater or of a package makes reference to the energy-efficiency class of that model and to the range of energy-efficiency classes available on the label, in accordance with Annex VI.

Article 5

Measurement and calculation methods

The information to be provided pursuant to Articles 3 and 4 shall be obtained by reliable, accurate and reproducible measurement and calculation methods as set out in Annex VII and in accordance with the transitional calculation and measurement methods set out in Annex VIII, as appropriate.

Article 6

Verification procedure for market-surveillance purposes

Member States shall apply the verification procedure laid down in Annex IX to this Regulation when performing the market-surveillance activities required in Article 8 of Regulation (EU) 2017/1369.

Article 7

Review

The Commission shall review this Regulation to take into account technological progress no later than dd.mm.yyyy *[the date = eight years after the date of entry into force of this regulation – OP – Please insert reference]*. The review shall include an assessment of the following:

(a) significant changes in sales and market shares, and energy aspects of the different types of space heaters, combination heaters, packages, temperature controls and solar devices;

(b) the energy classes of space heaters, combination heaters and packages, and the design of the energy label;

(c) the possibility of addressing additional circular-economy aspects.

Article 8

Amendments to Regulation (EU) 811/2013

Commission Regulation (EU) 811/2013 is amended as follows:

(a) Annexes I and VII are amended as set out in Annex X to this Regulation.

Article 9

Repeal

Delegated Regulation (EU) No 811/2013 shall be repealed with effect from dd.mm.yyyy *[the date 24 months after the date of entry into force of this Regulation – OP – Please insert reference]*.

Article 10

Transitional provisions

Until dd.mm.yyyy *[a date entry into force + 72 months minus one day – OP – Please insert reference]*, manufacturers of models of heat pumps and hybrid heat pumps whose first unit has been placed on the market or put into service before *dd.mm.yyyy [a date entry into force + 48 months – OP – Please insert reference]* or its authorized representatives, shall ensure that the measurement of sound power level is carried out at the conditions identified as settings 1 in table 13 of point 7.1 of Annex VII to this Regulation.

Article 11

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

2. It shall apply from dd.mm.yyyy *[the date of 24 months after the date of entry into force of this Regulation – OP – Please insert reference]*. However, Article 3(1) points (a) and (c), Article 3(2), point (b), and Article 3(3) points (a) and (c), shall apply from dd.mm.yyyy *[the date 4 months before date mentioned in the first sentence so 20 months after entry into force – OP – Please insert reference]*.

3. Also as an exception from the dates of application mentioned in paragraph 2, the compensation method shall apply:

   (a) to models of heat pumps and hybrid heat pumps whose first unit is placed on the market or put into service on or after dd.mm.yyyy *[the date of entry into force + 48 months – OP – Please insert reference]*.

   (b) to any heat pump and hybrid heat pumps placed on the market or put into service on or after dd.mm.yyyy *[the date of entry into force + 72 months – OP – Please insert reference]*.

4. Measurement of sound power level of heat pump heaters and hybrid heat pump heaters shall be carried out as follows:

   (a) in the case of heat pump heaters and hybrid heat pump heaters whose first unit is placed on the market or put into service on or after dd.mm.yyyy *[the date of entry into force + 48 months – OP – Please insert reference]* in the conditions indicated as settings 2 in table 13 of point 7.1 of Annex VII to this Regulation;

   (b) any heat pump heater or hybrid heat pump placed on the market or put into service on or after dd.mm.yyyy *[the date of entry into force + 72 months – OP – Please insert reference]* in the conditions indicated as settings 2 in table 13 of point 7.1 of Annex VII to this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN