

Manufacturers of storage refrigeration are lagging behind with online mandatory product declaration

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The Energy Label for Professional Storage Refrigeration entered into effect on July 1st, 2016. The Energy Label regulation for professional refrigerated storage cabinets (EU 2015/1094)¹ also indicates what the declaration and display requirements of the product's energy efficiency-related information are. In case the product is sold through the internet, Annex VII specifically describes how the product information shall be declared:

“The appropriate label made available by suppliers in accordance with Article 3(1)(b) shall be shown on the display mechanism near the price of the product in accordance with the timelines indicated in Article 3(2). The size of the label shall be such that it is clearly visible and legible and shall be proportionate to the size specified in point 3 of Annex III. The label may be displayed using a nested display, in which case the image used for accessing it shall comply with the specifications in point 3 of this Annex. If nested display is applied, the label shall appear on the first mouse click, mouse roll-over or tactile screen expansion on the image.” EC, 2015/1094, Annex VII

Topten performed an evaluation verifying if mandatory product declaration for storage refrigerators were respected and proposes recommendations to improve the present regulation.

Method

Topten visited the websites of manufacturers of storage refrigerators and verified if the information pertaining to the devices' energy consumption was clearly declared as prescribed by the Energy Labelling Regulation EU 2015/1094 for professional refrigerated storage cabinets. The websites of 23 manufacturers were visited in total. For each manufacturer, the data was collected from one national website that was representative of the European market for that brand.

In September 2017, Topten assessed the product declarations of 1914 models. The results were compared to similar data that was gathered by Topten in November 2016 where 747 models from 21 manufacturers were reviewed.

The sample size increased in 2017 because of the definition of a larger scope compared to the 2016 sample.

¹ Commission delegate regulation (EU) 2015/1094 of 5 May 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of professional refrigerated storage cabinets.

Market evolution

Over the last year, the market has experienced a shift in the C and D classes. Out of all products with a known energy class, the number of models in the D class has dropped by 25% from 42% to 27%, and the number of models in the C class has increased by 12%, from 23% to 35%. The shift led to a drop in the average Energy Efficiency Index (EEI) from 63% to 59%.

Energy Class	A+++	A++	A+	A	B	C	D	E	F	G
Energy efficiency index (%)	< 5	5 - 10	10 - 15	15 - 25	25 - 35	35 - 50	50 - 75	75 - 85	85 - 95	95 - 115

Table 1: Energy class thresholds based on the energy efficiency index (EEI), EU 2015/1094, Annex II

Within a year after the introduction of the Label, 3 models have already reached the A+ class. As a reminder, a D class storage refrigerator can consume three times more energy than a product in class A.

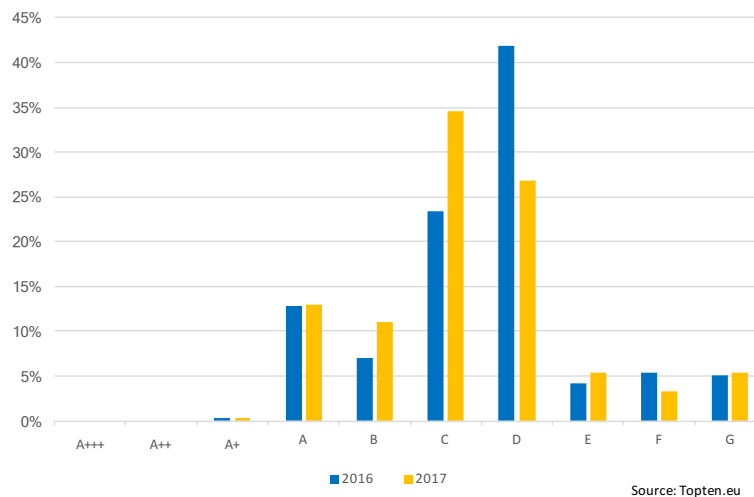


Figure 1: Overview of the changes of declared product classes among products with a valid product declaration in between 2016 and 2017

Manufacturers are lagging with product declaration

Data collected from the websites of manufacturers shows however that over half of the products on the market do not fulfil the mandatory declaration requirements. In 2016, 58% of assessed products did not declare the product's energy efficiency class. Based on the provided product information, it was not possible to conclude what energy efficiency class the device belonged to as energy-related information was missing. Over a year after the introduction of the Energy Label still 56% of storage refrigeration models did not disclose the energy efficiency class of the product.

	2016	2017
Models	747	1914
Brands	21	23
Compliant product declaration	313 (42%)	839 (44%)

Table 2: Summary of models and number of brands assessed in 2016 and in 2017

These poor results emphasize the need for market surveillance authorities to enforce the mandatory declaration requirements in order for consumers to be able to make informed decisions.

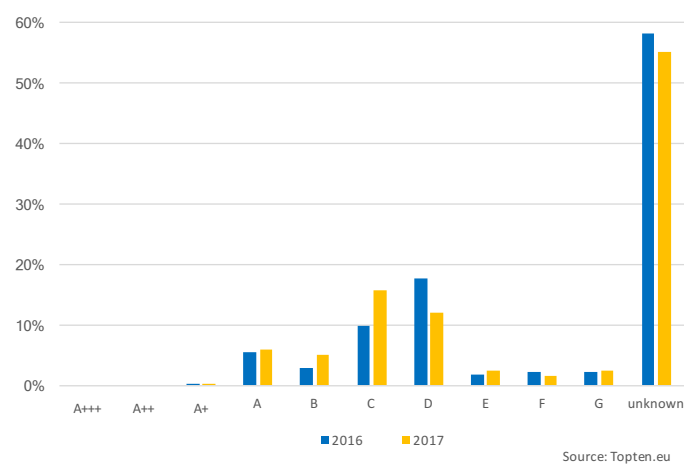


Figure 2: Result overview of product review

The regulation requires the label to be visible and prominently displayed on the webpage presenting the product. In practice, the labels were difficult to find, or only the label class was declared without the label itself and thus leaving out the information on the annual energy consumption.

Grey area in scope definition

The general definition of professional refrigerated storage cabinets by Regulation 2015/1094 is:

“an insulated refrigerating appliance integrating one or more compartments accessible via one or more doors or drawers, capable of continuously maintaining the temperature of foodstuffs within prescribed limits at chilled or frozen operating temperature, using a vapour compression cycle, and intended for the storage of foodstuffs in non-household environments but not for the display to or access by customers” (Article 2a).

During the gathering of the product data, there were many cases where it was not clear if the product could be considered as fitting into the scope of a “storage refrigerator”. This was

especially the case for appliances that have an additional “food processing” function² and refrigerators with a glass door where in some cases it was not clear if they were display cabinets. In fact, this uncertainty seems to be common amongst manufacturer as well, as they sometimes do not label storage refrigerators with a glass door because they think that devices with a glass door are not covered.

Appliances that are specifically designed for “food processing” are excluded from the scope of the label (Article 1, 3d). Because the concept of “food processing” is not further defined in the Regulation, manufacturers may include basic functions like cooling foodstuffs such as dough, to prevent it from rising, or air humidification to prevent foodstuffs from drying. It is therefore difficult to assess the device’s main function.

A grey area in the scope definition additionally lies in the range of temperatures in which a storage refrigerator can operate. According to the definition the refrigerator shall maintain chilled/frozen temperatures. While frozen is clear (below 0°C), chilled is very relative. In a professional kitchen for instance, ambient temperature can reach 43°C. Keeping foodstuff at 20-25°C still requires chilling the contents of the refrigerator by 20°C. Although the contents are being chilled in relation to the ambient temperature, the appliance cannot be declared as a normal storage refrigerator because the contents are kept at 20-25°C.

“Chilled” should be defined in relation to the climate classes (cc3 is at 25°C, cc4 is at 30°C, cc5 is for 40°C) or in absolute terms. Another option would be to state that storage refrigerators shall maintain temperatures that are below the ambient temperature and thus keeping them covered by the label.

Furthermore, some more sophisticated refrigerators may through their digital controls increase the temperature to allow the thawing process to start so that the contents are thawed and ready for the following day. Because cabinets specifically designed only for the purpose of thawing frozen foodstuffs in a controlled manner are explicitly exempt from the label, manufacturers of appliances that offer this function (for almost all appliances with a digital control) can decide whether they want this device to be for thawing only that include a feature where the contents can be frozen or chilled. The Regulation is clear that it does not intend to exempt these appliances, but this constitutes a loophole that can be easily exploited.

Recommendations

Product declaration guidelines should reflect the B2B retail reality

Requirements prescribing the product declaration on the internet were formulated without truly taking into account the fundamental differences in between the B2C and B2B markets. In the B2B retail space, manufacturers and retailers rarely list the prices of their products online. On the contrary, they encourage interested parties to request an offer that can be customised to the needs of their clients and negotiated depending on regularity and size of the purchase, service contracts and several other factors.

This is also the case for advertising materials of B2B manufacturers. The regulation states that:

² The Label does not apply if more than 20% of the volume of the refrigerator is dedicated to food processing.

“any advertisement relating to a specific professional refrigerated storage cabinet model and containing energy-related or price information shall include a reference to the energy efficiency class of that model”.

However, the presence of price-related or energy-related information on advertising materials is not sufficient to guarantee that the energy efficiency class is shown because many manufacturers do not mention this information in the first place.

The product declaration requirements should be adapted to the B2B retail space and not be based on the product declaration guidelines for consumer goods.

Requirements for distance-selling

The intention of the regulation was to:

“specify requirements for the information to be provided in any form of distance-selling of professional refrigerated storage cabinets and in any advertisements and technical promotional material for such products”.

However, due to the poor adaptation to the B2B market practices, websites of manufacturers that just showcase their product range do not have to comply with the energy labelling requirements even if there is an intent to sell by the manufacturer.

Annex VII on “Information to be provided in the case of sale, hire or hire-purchase through the internet” sets forth product declaration requirements in case of distance-selling. The regulation requires that the Energy Label is presented prominently next to the price. However as seen above, if the price is not exposed, there is not a clear obligation to show the Energy Label next to the product.

This section should additionally specify that the information is required on manufacturer websites showing the product without any price as there is an intent to sell. These websites should therefore also comply with Annex VII as this can be seen as one of many forms of distance-selling.

Ambiguity of the scope

There still needs to be some clarification in the scope of the regulation. For storage refrigerators with a glass door (that may be considered as display cabinets for the sale of refrigerated products) and devices that fall into the “food processing” category (even though their main function is to keep its contents at a fixed temperature) a better scope definition is needed. The definition for storage refrigerators could explicitly mention storage refrigerators with a glass door as part of the scope to avoid any confusion. In both cases, the exemption of these devices from the scope represents a loophole that should be closed when the next revision takes place.

No declaration guideline for trade fairs

Professional products are often marketed in trade fairs for professional buyers. The regulation only mentions that the Energy Label shall be presented at the point of sale:

“at the point of sale, each professional refrigerated storage cabinet shall bear the label provided by suppliers in accordance with Article 3(1) on the outside of the front or top of the appliance, so that it is clearly visible “.

The category in which trade fairs fall into is not defined. While the primary function of a trade fair is for manufacturers to showcase their product range, their final intent is the sale of their products. Furthermore, customers may also purchase products during the event. It is therefore not considered as a classic “point of sale”. The regulation should mention that professional storage refrigerators at trade fairs shall declare their energy efficiency class and show the Energy Label in a clearly visible manner.

Conclusion

The present brief shows that the product declaration of the majority of storage refrigerators is noncompliant and that the intentions of the regulation are still not met more than a year after its entry into force. The publication of this brief is an opportunity for market surveillance authorities to kick-start product declaration compliance verifications and implement appropriate measures. The Energy Label for storage refrigeration is a powerful tool to create a market pull towards more efficient products. The difference in energy consumption from one class to the other is considerable and leads to significant savings. Proper product declaration will make this tool more effective.

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