



Memo on product declaration to Topten

Date: 07 March 2018

From: Eric Bush, Maike Hepp and Sophie Attali

Correct product declaration is the cornerstone of the most important European policy instruments covering products: “Energy Labelling” and “Eco-Design”. It is key for any informed purchase decisions of private consumers or professional procurers and any platforms comparing products like Topten.

Topten displays product data published by manufacturers and puts them in direct comparison. Topten is aware of its responsibility to provide correct data and considers it a key task to display information of the best possible quality.

This memo discusses possible sources of discrepancies in declarations and how to proceed in case of questionable declarations.

Sources of product information

Topten uses product information declared by manufacturers, either on their websites or upon request. Topten specifies in its “Selection Criteria pages” which information has to be provided according to which standards. In the great majority of cases (and otherwise specified) Topten follows European, and when necessary national, legislation and international standards.

This is in line with the procedure of the European Energy labelling (self-declaration by manufacturers).

When screening product data, Topten may encounter discrepancies within the values declared, that raise a doubt on the energy efficiency level.

Discrepancies can be explained by simple printing mistakes. In this case, Topten asks manufacturers to correct such errors immediately – which they usually do as it is a support for them to fulfil their legal duty.

Discrepancies may be explained by different understandings of standards or of EU Regulations: for example, technical complexity may lead to different ways of applying measurement standards and to conflicts (e.g. on defining net volumes). For this type of discrepancies, standards bodies regularly publish amendments to the standards that specify in more detail how standards should be implemented. Likewise, European bodies also regularly produce FAQ documents on Regulations. Topten cannot play an official role

with this respect. It however contributes to improve the knowledge about these difficulties and alerts official bodies on inconsistencies, unclear specifications and details.

Discrepancies may occur because declarations on the energy label and the product fiche are not correct or that test reports seem inconsistent in some points. The responsibility for controlling these declarations falls on the European Member States who assign it to their respective surveillance bodies. Anyone spotting mistakes can report to these surveillance bodies who can officially take measures depending on their national laws: urge manufacturers to correct the data, fine manufacturers, order a ban of the product, etc.

In this context, Topten:

- a. Systematically checks the plausibility of product data
- b. May request test reports (according to international protocols and standards) for critical product categories or specific products
- c. May undertake spot testing. However, testing on a systematic basis of all products is out of scope and far too expensive for Topten. This is the responsibility of official surveillance bodies and manufacturers' associations that want to contribute to levelling the playing field.

It may happen that manufacturers claim some of their competitors declare wrong values with respect to the energy label / product fiche or product information declared by the manufacturer. In this case Topten cannot assume a role of referee or fund testing to clear the issue. However:

- Topten asks the accused manufacturers for his position and offers to correct any mistakes
- In case of disagreement, Topten motivates involved manufacturers to resolve the problem between themselves
- If not successful, Topten may inform manufacturers' associations and/or surveillance bodies of various European countries

Conclusion

Topten supports all efforts of all stakeholders from standard makers and policy makers, associations, manufacturers, test institutes and surveillance bodies to improve correct declarations and fair play on the market. Topten cooperates with projects aiming to improve verification and enforcement activities such as the EEPLIANT project (www.eepliant.eu). Topten does not bear any official or legal responsibility and relies on the existing European regulatory framework based on self-declared product data.