

# **Working document on possible requirements for a horizontal regulation on online labelling**

## **Subject matter**

This working document establishes horizontal requirements for the labelling and the provision of supplementary product information online for products labelled under Directive 2010/30/EU (furthermore "Directive"). The impact assessment study shows that non-compliance with the energy label online would lead to losses of energy savings predicted by energy labelling measures.

## **Definitions**

For the purposes of this working document the following definition shall apply:

*Auction sites*: internet sites where the members of the public either trade or barter in goods.

*Internet*: the worldwide and interconnected computer systems and communications network.

*Online environment*: all sites and services available on the Internet.

*Distance selling*: the act of presenting for sale, hire or hire-purchase through the Internet which implies that the potential end-user cannot be expected to see the product displayed.

*E-commerce*: commercial transactions conducted either wholly or partially on the Internet.

*Web accessibility*: special provision made for the sight impaired to access and use Internet based content.

*Nested displays*: where one image or data set is accessed by 'clicking through' another image or data set.

*Tactile screen*: touch screen of a device such as a tablet or a smartphone.

## **Information requirements for suppliers**

The proposal would put in place requirements for suppliers to supply the label and the supplementary information (fiche) to retailers electronically.

## **Information requirements for dealers**

The proposal would put in place requirements for dealers on how to display the information provided by suppliers as set out in the Annex.

## **Market surveillance**

Member States would be required to do market surveillance on the above requirements.

## Explanatory Notes

The Directive is an important instrument to achieve the objective of increasing energy efficiency in the EU by 20 % by 2020, and its implementation is one of the priorities of the Energy Efficiency Action Plan<sup>1</sup>. Furthermore, implementation of the Directive contributes to the Community's targets for reducing greenhouse gases. The proposal for a delegated Regulation on energy labelling in the online environment would make a substantial contribution to this process. It is also consistent with the Sustainable Consumption, Production and Industrial Policy Action Plan. Furthermore, the European Economic Recovery Plan<sup>2</sup> underlines that energy efficiency is one of the key priorities, in particular the promotion of the rapid take-up of products offering a 'high potential for energy savings'.

The working document outlines the approach proposed to implement the labelling and the provision of supplementary product information online for products labelled under the Directive.

It proposes how the energy label should be displayed in all online environments (simple PCs, laptops, tablets, smart phones, any other devices) including advertisements and the presentation of any technical promotional material if they fulfill the requirement to provide the energy efficiency class of the advertised or presented product. It further proposes the retention of existing conventions for the activation of full label display, touch screen expansion and magnification as well as the provision of supplementary product information.

The working document outlines the requirements that will be addressed to suppliers, dealers and Member States in respect of implementing the online provisions of the Directive to ensure that projected savings of the labelling measures are not lost. The working document also suggests voluntary options to enhance the effectiveness of the requirements.

Background is presented on the significant and growing importance of the online sales channel both in isolation and in combination with other channels (e.g. search online, buy offline) which could further the aims of the Directive about shaping more efficient and greener choices of consumers.

### **Form of the implementing measure**

The intention is to propose a horizontal delegated act, provided the stakeholders support the idea, implementing specifically Articles 3 to 7 of the Directive in the online environment.

### **Scope**

All products covered by labelling measures under the Directive.

### **Exclusions**

Excluded from the working document are:

- auction sites.

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<sup>1</sup> COM(2006) 545.

<sup>2</sup> COM(2008) 800.

## **Definitions**

For the purposes of this working document, the definitions cover commonly agreed terms such as auction sites, internet, online environment, distance selling, e-commerce, web accessibility, nested displays, and tactile screen.

## **Information requirements for suppliers**

The proposal would put in place requirements for suppliers to supply the label and the supplementary information (fiche) to retailers electronically. Options could be: email, upload on manufacturers' website for download or physical transfer of data storage devices inside the packaging box of the appliance (e.g. USB stick). Web accessibility requirements would also be put in place for the sight impaired.

## **Information requirements for dealers**

The proposal would put in place requirements for dealers on how to display the information provided by suppliers as set out in the Annex. Since the screen display area is the most valuable commodity in e-commerce (the principle of 'pixels equal Euros'), the Annex specifies appropriate sizing and aspect ratios that adhere to existing device conventions for nested displays and magnification. This means that the first image giving information about the efficiency of the product would be an arrow in the colour of the energy efficiency class of that product. Clicking on this image on a computer or touching it on a tactile screen would bring up the whole energy label. A link to the fiche should also be appended at the bottom of the full label.

## **Voluntary options**

Development of valued added services on top of basic requirements (display) is facilitated. These might include at dealers' discretion total cost of ownership calculators and comparison, a product search by energy efficiency class or other parameters as displayed on the product specific labels (e.g. washing performance, noise etc.).

## **International dimension**

The proposal would mainly concern the European Economic Area. However, the way the label and supplementary information are displayed has the potential to be followed worldwide in that manufacturers that are selling into the EU will not "label" their products only for the EU but for worldwide distribution.

## **Impact on other EU legislation**

No impact on other EU legislation has been identified.

## General context

The study Consumer2020 by Directorate-General for Information Society<sup>3</sup> concluded that at least 70% of discretionary purchases are now "pre-searched" on line even if the purchase is made in an actual shop. The study also showed that for Europeans with an Internet connection 90% of white goods are pre-searched even if only 3-4% are currently purchased online.

Furthermore, the impact assessment made for the recast of Directive 92/75/EEC showed that one of the most significant aspects for improving the performance of the old Directive was the extension of labelling in the online environment.

*"Currently, ...the ELD does not allow provisions to cover advertising by manufacturers, retailers or their representatives in media, such as websites (e.g. Internet sales), newspapers or TV. This media has an important growing impact on consumer knowledge and purchase decisions. Provisions on these issues could help changing the consumer behaviour based on purchase price towards purchases based on life cycle cost."*

## Objectives

The objectives for the delegated act are directly derived from the Directive, and specifically aimed at the online environment:

- promote energy efficiency and thus contribute to security of supply in the framework of the Community objective of 20% reduction in the EU's energy consumption by 2020;
- increase the online availability to customers of immediate, accessible, compliant, relevant, up-to-date and interrogable energy efficiency information.
- improve energy efficiency information availability to suppliers, dealers, third parties and administrators;
- facilitate cost effective and easily implemented compliance supervision;
- increase sales of energy efficient appliances through more informed purchase decisions online and in stores;
- promote customers' energy efficiency awareness and positively influence shopping behaviour;
- facilitate the development of third party business models and based on the creative re-use of energy efficiency information (e.g. search engines, independent comparison services, etc.); in general and in particular for SMEs;
- increase e-commerce, including cross-border and hybrid online-offline shopping behaviour;
- improve functioning of the Digital Single Market.

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<sup>3</sup> [http://ec.europa.eu/information\\_society/newsroom/cf/itemdetail.cfm?item\\_id=6782](http://ec.europa.eu/information_society/newsroom/cf/itemdetail.cfm?item_id=6782)

## Savings

The Consumer2020 study estimated that putting energy labels online with rules how the label should be displayed would increase the effectiveness of labelling by 50% meaning that consumers would be inclined to choose more efficient appliances. In the section below, the calculations of the impact assessment study of DG INFSO show that the cost of not implementing the online provisions of the Directive would lead to a loss of estimated savings due to non-compliance. This corresponds with the Consumer2020 view on the benefit of implementing energy labelling in the online environment.

### Expected savings from existing energy labelling implementing measures

Savings from existing energy labelling regulations are expected as follows:

- i. cold appliances (domestic fridge/freezers): total consumption 95 TWh. Estimated savings attributed to label from 1993 to 2010 ca. 25%<sup>4</sup> 24 TWh;
- ii. wet appliances (wash/dishwasher/drier) total consumption: 60 TWh. Estimated savings attributed to label 1996 to 2010 ca. 40%. 24 TWh;
- iii. ovens total consumption: 35 TWh. Estimated savings attributed to label since ca. 2000 around 30% 12 TWh;
- iv. non-directional lamps total consumption: 110 TWh. Estimated savings attributed to label since ca. 1998 ca. 10%. 11 TWh;
- v. room air conditioning: estimated savings attributed to label since 2002 (estimate) 2 TWh.

Based on the above, total estimated savings attributed to these labelling areas equals with about 73 TWh<sup>5</sup> by 2020, or on average 5 TWh electricity per year.

For period 2012-2020 under 2010/30/EU we can expect in addition to updating of the old labels new labels for: heating boilers, water heaters, vacuum cleaners, hobs, gas-ovens, etc. The first two alone are heavy energy users and we estimate label induced savings between 10 and 20 TWh electricity equivalent per year over that period.

It is estimated that some of these savings could be lost if effective labelling is not applied in the online environment.

a) IMRWorld analysis reveals that online sales of energy using products in the categories covered is growing at between 7% and 8% in Europe at the moment i.e. we can expect sales to have doubled over the period – reaching 10% in 2020. So the the first direct cost of not going on line is in form of possible losses due to non-existent online sales.

b) The second potential loss is related to consumers purchasing online but picking the item up themselves in the shop. This type of purchasing behaviour is NOT captured in classic online purchasing statistics. IMRWorld estimate this figure will reach about 10% by 2020 – starting from a lower base than "pure" online but growing faster.

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<sup>4</sup> Plus ca. 12% for minimum efficiency requirements

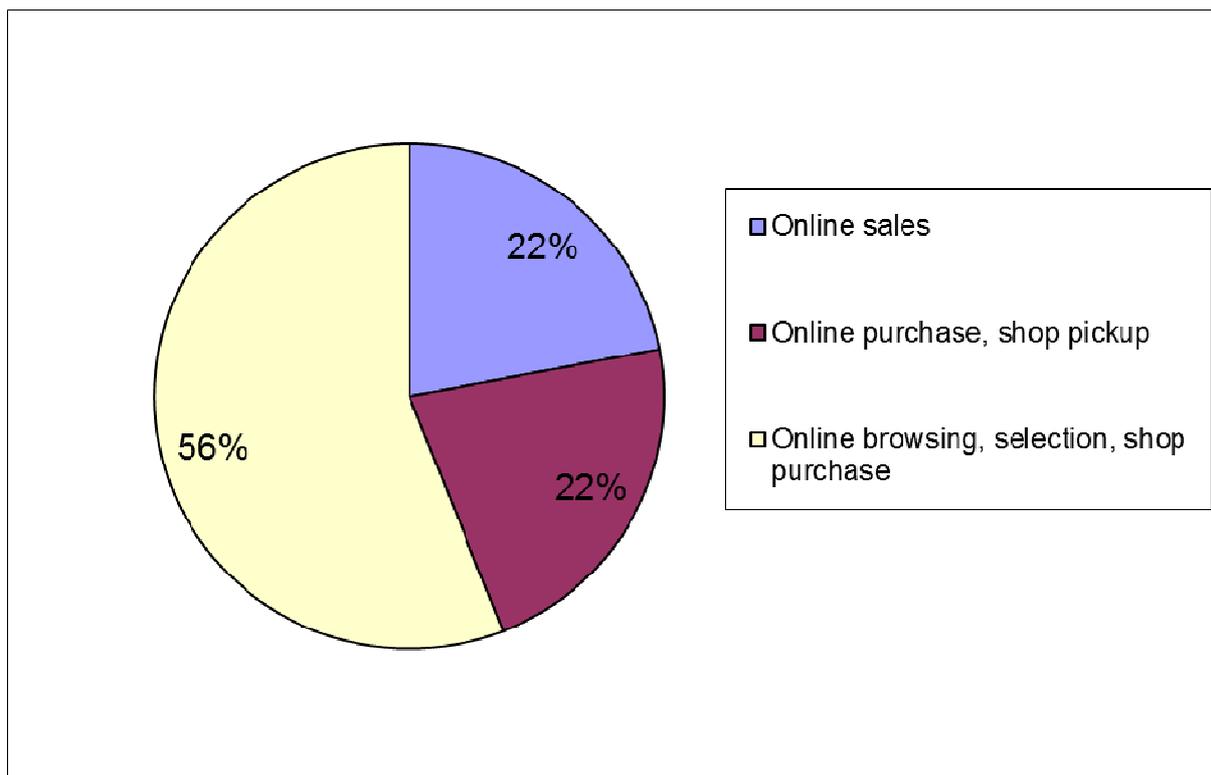
<sup>5</sup> Or approximately 3% of EU electricity consumption.

c) The final area of potential loss of savings, is the loss associated with those who browse and select their products on line but then actually make their purchase in a real shop. Evidence from both the Consumer2020 and "Bringing onLine into line" studies show that online pre-purchase browsing is a key pre-purchase decision driver – there is strong evidence that of all the products that will be covered by delegated acts during the upcoming period, 90% will be pre-searched online before purchase<sup>6</sup>. These studies also demonstrated that pre-search also triggers specific patterns in decision making such as reducing the the range of choices to no more than three brands before a visit is made to an actual shop. Consumers therefore arrive in the actual shop predisposed to certain brands without the need to look at the energy label of the appliances displayed in the shop. Pre-disposition also means that consumers do not feel the need to look at other appliances displayed in the store. Furthermore the effect of harmonising labelling across all channels (online, offline, hybrid) on the compliance of any one channel cannot be underestimated (see below compliance). Both studies came to the conclusion that the people presearching products online and purchasing them in shops correspond to some 25% of all consumers by 2020.

Graphically, the expected relation between the above three consumer behaviours by 2020, can be represented as follows:

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<sup>6</sup> Consumer2020 Currently in the EU 90% of people purchasing white goods online who have the internet pre-search those goods on line (even if, currently only between 3% and 5% actually purchase these white goods on line).. By 2013, the EU has a target for 100% of citizens to have the internet access at basic broadband rates "Every European Digital".



## Compliance

The findings of the recent CLASP<sup>7</sup> study show that institutional capacity and resources are insufficient for effective compliance in the current regime as:

- across the EU there are only about 80 full time equivalent staff working on market surveillance of the Energy Labelling Directives in the 30 EEA Member States and perhaps the same level (optimistically) are involved in store inspection to ensure labelling compliance;
- level of non-compliance is difficult to estimate but it appears that more than 10% of the energy savings potential of product energy efficiency policy is being lost;
- the ease with which online compliance can be "automatically monitored" using standard web tools will inevitably lead to a very high level of online compliance and would significantly help Member States to perform their market surveillance duties. This in turn would put great pressure on traditional retail channels to conform.

## Design of display and content of label

A specific issue for the online environment is the design of the display and presentation order of the label and fiche/supplementary information. Whilst this is fairly straightforward in an actual store, online customers using for example computers, tablets or smart phones are presented with different display environments.

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<sup>7</sup> Navigant Consulting, March 2012: *Monitoring, Verification and Enforcement Capabilities and Practices for the Implementation of the Ecodesign and Labelling Directives in EU Member States*

The Directive and its delegated acts are specific about the design (size, colour, layout, location etc.) and content of the labels and supplementary information to be provided to consumers. While the Directive indicates that label design and content should be “as indicated in Article 4,” this may be neither practical nor user friendly for online purposes. The provisions in the Directive aim at three complementary factors:

- content – providing reliable, relevant and useful information when it is needed;
- coverage – ensuring that all consumers of all competing products see the information including consumers who are sight impaired (web accessibility);
- uniformity - use of a single simple and recognisable design to facilitate comparison.

**The aim of this delegated act would be to ensure that the consumers have the same information available to them irrespective whether they look for information or purchase an appliance in an actual shop or online** (see tablet and smart phone display examples below). The presentation of the label needs to be regulated, taking into account the specific circumstances of online environments –with screen sizes and user interfaces ranging across smart phones, tablets and PCs or any other similar devices as well as web accessibility.

**Tablet display examples**



Figure 1: Energy class display (Against product)



Figure 2: Label Display (Click through)

**Smart Phone display examples**



Figure 1: Energy class display (Against product)



Figure 2: Label Display (Click through)

Touch screens on tablets and smart phones allow the displayed information to be enlarged by users.

To further ensure that customers have the opportunity to review the information, Internet-based sales could be required to include a check box acknowledging that the customer has seen the required information (supplementary information/fiche) before proceeding to payment.

## **Sources of information**

The Consumer2020 study and the Impact Assessment preparatory study "Bringing onLine into line" are published on DG INFSO's website.

Main DG INFSO Study site

[http://ec.europa.eu/information\\_society/newsroom/cf/news.cfm?displayType=library&fosubtype=reports](http://ec.europa.eu/information_society/newsroom/cf/news.cfm?displayType=library&fosubtype=reports)

Consumer2020:

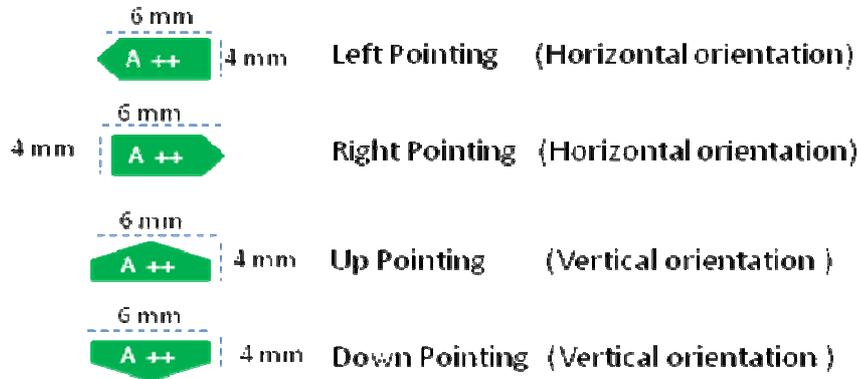
[http://ec.europa.eu/information\\_society/newsroom/cf/itemdetail.cfm?item\\_id=6782](http://ec.europa.eu/information_society/newsroom/cf/itemdetail.cfm?item_id=6782)

IA Preparatory Study – Bringing online into line:

[http://ec.europa.eu/information\\_society/newsroom/cf/document.cfm?action=display&doc\\_id=894](http://ec.europa.eu/information_society/newsroom/cf/document.cfm?action=display&doc_id=894)

## ANNEX – using the example of the television label

Online energy rating display plus full label access to ensure on screen legibility the A – G scale single identifier can be displayed in the following 4 orientations:



### 1) On screen A - G scale single displayed identifier: Normal Screens

- **Display at first instance of product information presented to the consumer**
- **Hyper linked to a graphic of full label information**
- **Activation of full label display: Roll over or mouse click**
- **Display of label: Pop up, new tab, new page, inset screen display.**
- **Stop Displaying label: Close option or standard close window mechanism**
- **Graphic alternative text displayed on failure to display graphic: Energy class (A –G scale) as denominated on the full label for the displayed product.**

### 2) On screen A - G scale single displayed identifier: Touch screen devices

- **Display at first instance of product information presented to the consumer and in close proximity to price**
- **Hyper linked to a graphic of full label information**
- **Activation of full label display: touch screen expansion: device conventions for magnification will apply**
- **Display of label: Pop up, new tab, new page, inset screen display.**
- **Stop Displaying label: Close option or standard close window mechanism**
- **Graphic alternative text displayed on failure to display graphic: Energy class (A –G scale) as denominated on the full label for the displayed product.**

### **A-G scale**

**Arrow:** height: 4 mm, Length: 6mm – colours:

- 0 Highest class: X-00-X-00,
- 0 Second class: 70-00-X-00,
- 0 Third class: 30-00-X-00,
- 0 Fourth class: 00-00-X-00,
- 0 Fifth class: 00-30-X-00,
- 0 Sixth class: 00-70-X-00,
- 0 Last class(es): 00-X-X-00.

**Text:** Myriad Pro Bold 10 pt, capitals, white.

## Illustrations of Onscreen A-G scale single identifier use

(Examples are purely illustrative.)

### Single identifier type use

Shopping > Electronics > Televisions & Accessories

## Televisions & Accessories

Popular Television Categories [See all televisions >>](#)

**HDTVs**

**LCD TVs**

**Plasma TVs**

**Projection TVs**

**TV/VCR/DVD Combos**

**All TVs**

**Popular Brands**

- Hitachi TVs
- JVC TVs
- LG TVs
- Mitsubishi TVs
- Panasonic TVs
- Phillips TVs
- Portable TVs
- RCA TVs
- Samsung TVs
- Sharp TVs
- Sony TVs
- Toshiba TVs
- ViewSonic TVs
- Vizio TVs

**Shop for Televisions**

- HDTVs
- LCD TVs
- Plasma TVs
- Projection TVs
- TV/VCR/DVD Combos
- Tube TVs

**TVs by Screen Size**

- 30" or Smaller TVs
- 31" to 39" TVs
- 40" to 49" TVs
- 50" or Larger TVs

**TV Accessories**

- Antennas
- Cables
- Headphones
- Projection Lamps
- Remote Controls
- Speakers
- Storage Media
- Surge Suppressors
- Television Mounts
- VCRs
- Video Switchers

**Home Video**

- Home Theater Systems
- Projectors
- Satellite Systems
- Electronics Brands
- Electronics Coupons
- Electronics Directory

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amazon.com | lenovo

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[Add to Yahoo!](#)

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**Top Televisions**

Televisions

-  **UN55B8500 55" LED TV**  
\$2,997.00 - \$3,999.00  
★★★★★ 1 rating **A +**
-  **Samsung UN55B8000XFXZA Tele...**  
\$2,140.00 - \$2,874.95  
★★★★★ 13 ratings | 1 review **A**
-  **BRAVIA KDL-40EX400 40" LCD TV**  
\$625.00 - \$699.99  
★★★★★ 2 ratings **A+++**

**Research Televisions** [See all articles >>](#)

- Ultimate HDTV Buying Guide**  
from CNET
- Choosing a Big-screen Projection TV:**  
from Crutchfield Advisor
- Your Next TV: Choosing Aspect Ratio**  
from Crutchfield Advisor
- How To Buy A Plasma TV in 10 Easy Steps**  
from Plasma TV Buying Guide

Whether you want a new bedroom set or a massive home-theater centerpiece, our CNET editors' guide gives you the full picture on shopping for a new TV. [Read More](#)

### Mixed identifier use on same screen

Shopping > Electronics > Televisions 1 - 15 out of 3,982 results for Televisions (About)

## Televisions

**Narrow Results**  
(Televisions)

**Price**

Below \$500.00  
\$500.00 - \$1,100.00  
\$1,100.00 - \$1,800.00  
\$1,800.00 - \$3,000.00  
Above \$3,000.00

From \$  To \$  [Refine](#)

**Category**

- Plasma & LCD TVs
- TV Accessories & Mounts
- Projection TVs
- TV/VCR/DVD Combos
- Tube TVs

**Brand**

- 3M (1)
- Abergetty (13)
- Acco (1)
- ACP-EP Memory (1)
- Adrienne Vittadini (1)
- Adtran (1)
- Akal (1)
- AOC (12)
- AOpen (1)
- APC (American Pow... (1)

**SPONSOR RESULTS**

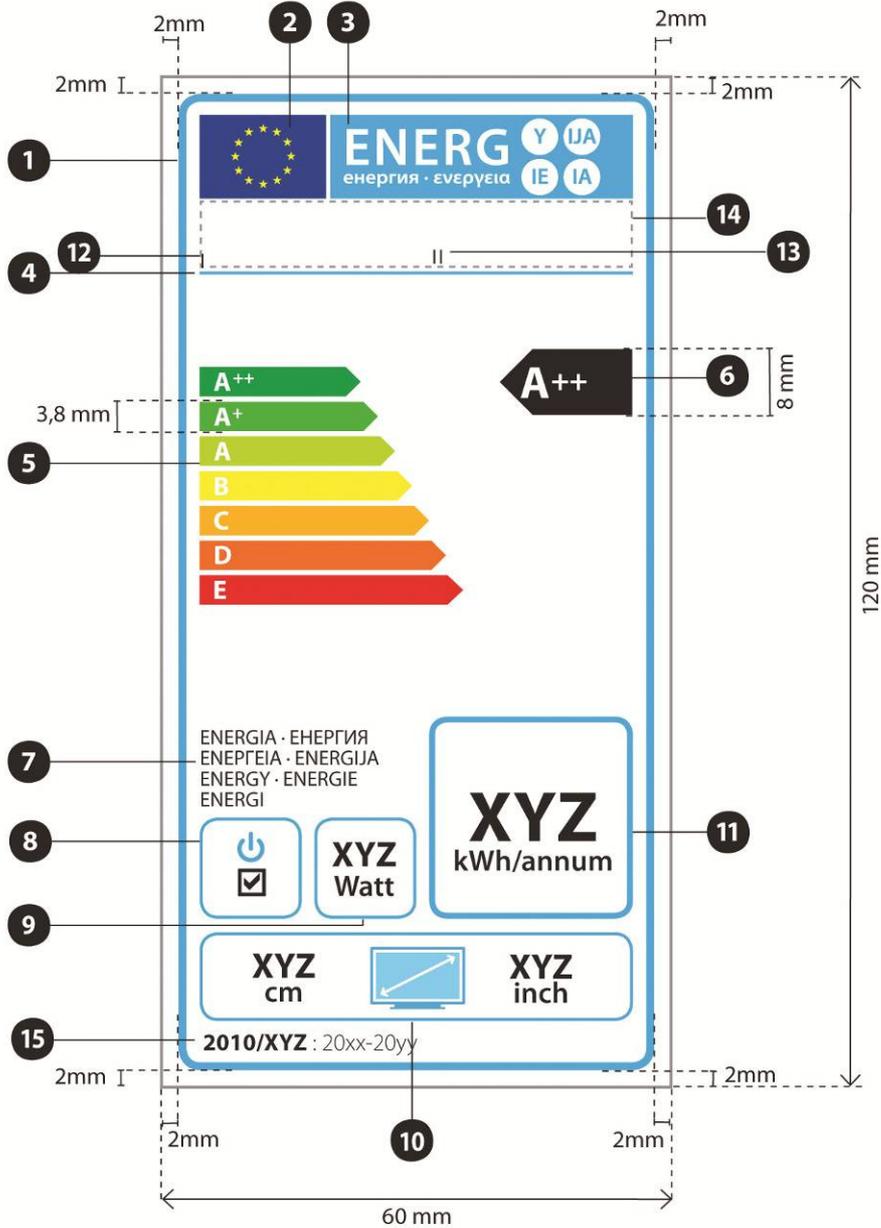
- [Watch TV Online \\$49.95](#) - Watch TV Online right from your laptop or desktop computer anytime.  
[SatelliteOnTheNet.com](#)

Results per page: 15 | 30 | 45 [Show grid view >>](#)

-  **UN55B8500 55" LED TV**  
Samsung's 1.6 inch ultra-slim 8500 series LED TVs combine deeper picture quality, blue Touch of Color design, and advanced...  
\$2,997.00 - \$3,999.00  
[Compare prices](#)  
**A ++**
-  **Samsung UN55B8000XFXZA Television**  
Samsung's 1.2 inch ultra-slim 8000 series LED TVs combine deeper picture quality, eco-friendly and blue Touch of Color...  
\$2,140.00 - \$2,874.95  
[Compare prices](#)  
**A ++**
-  **BRAVIA KDL-40EX400 40" LCD TV**  
Experience Full HD 1080p, vibrant images with the Sony BRAVIA EX400 Series HDTV. Available in a variety of sizes, this great...  
\$625.00 - \$699.99  
[Compare prices](#)  
**A ++**



The design of the **displayed** online label shall be as in the figure below.



Whereby:

- (a) The label, when requested for display by the user, shall be at least 60 mm wide and 120 mm high. Where the label is larger than the screen (mobile devices) the graphic will be scrollable on the X and Y axis.
- (b) The background shall be white.
- (c) Colours are CMYK - cyan, magenta, yellow and black and are given following this example: 00-70-X-00: 0 % cyan, 70 % magenta, 100 % yellow, 0 % black.
- (d) The displayed label shall fulfil all of the following requirements (numbers refer to the figure above):

- ① **Border stroke:** 3 pt – colour: Cyan 100% – round corners: 3.5 mm.
- ② **EU logo** – colours: X-80-00-00 and 00-00-X-00.
- ③ **Label logos:**  
 colour: X-00-00-00  
 Pictogram as depicted; EU logo and label logo (combined): width: 51 mm, height: 9 mm.
- ④ **Sub-logos border:** 1 pt – colour: Cyan 100% – length : 51 mm.
- ⑤ **A-G scale**
  - **Arrow:** height: 3.8 mm, gap: 0.75 mm – colours:
    - 0 Highest class: X-00-X-00,
    - 0 Second class: 70-00-X-00,
    - 0 Third class: 30-00-X-00,
    - 0 Fourth class: 00-00-X-00,
    - 0 Fifth class: 00-30-X-00,
    - 0 Sixth class: 00-70-X-00,
    - 0 Last class(es): 00-X-X-00.
  - **Text:** Myriad Pro Bold 10 pt, capitals, white.
- ⑥ **Energy efficiency class**
  - **Arrow:** width: 26 mm, height: 8 mm, 100% black;
  - **Text:** Myriad Pro Bold 15 pt, capitals, white.
- ⑦ **Energy**
  - **Text:** Myriad Pro Regular 7/7pt, capitals, black.
- ⑧ **Switch logo:**
  - **Pictogram as depicted, Border:** 1 pt – colour: Cyan 100% – round corners: 3.5 mm.
- ⑨ **Text related to on-mode power consumption:**
  - **Border:** 1 pt – colour: Cyan 100% – round corners: 3.5 mm.
  - **Value:** Myriad Pro bold 12 pt, 100% black.

- **Second line:** Myriad Pro regular 10 pt, 100% black.

⑩ **Television screen diagonal size:**

- **Pictogram as depicted**
- **Border:** 1 pt – colour: Cyan 100% – round corners: 3.5 mm.
- **Value:** Myriad Pro bold 12 pt, 100% black. Myriad Pro regular 10pt, 100% black.

⑪ **Text related to annual energy consumption:**

- **Border:** 2 pt – colour: Cyan 100% – round corners: 3.5 mm.
- **Value:** Myriad Pro bold 24 pt, 100% black.
- **Second line:** Myriad Pro regular 10 pt, 100% black.

⑫ **Manufacturer's information**

⑬ **Model's information**

- ⑭ The manufacturer and model information should fit in a space of 51x 8 mm.

⑮ **Reference period**

Text: Myriad Pro Bold 9

Text: Myriad Pro light 9