

COMMISSION IMPLEMENTING DECISION (EU) 2021/936**of 3 June 2021****on the harmonised standards for household washing machines and household washer-dryers drafted in support of Regulation (EU) 2019/2023 and Delegated Regulation (EU) 2019/2014**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(6) thereof,

Whereas:

- (1) In accordance with Article 9(2) of Directive 2009/125/EC of the European Parliament and of the Council ⁽²⁾, Member States are to regard a product for which harmonised standards have been applied, the reference numbers of which have been published in the *Official Journal of the European Union*, as conforming to all the relevant requirements of the applicable implementing measure to which such standards relate. Article 4 of Commission Regulation (EU) 2019/2023 ⁽³⁾ and Annex III thereto lay down the relevant measurement and calculation requirements for household washing machines and household washer-dryers.
- (2) In accordance with Article 13 of Regulation (EU) 2017/1369 of the European Parliament and of the Council ⁽⁴⁾, after the adoption of a delegated act pursuant to Article 16 of that Regulation setting specific labelling requirements, the Commission is to publish references to the harmonised standards that satisfy the relevant measurement and calculation requirements of the delegated act in the *Official Journal of the European Union*. Where such harmonised standards are applied during the conformity assessment of a product, the model is to be presumed to be in conformity with the relevant measurement and calculation requirements of the delegated act. Article 3 of Commission Delegated Regulation (EU) 2019/2014 ⁽⁵⁾ and Annex IV thereto lay down measurement and calculation requirements for household washing machines and household washer-dryers.
- (3) By Implementing Decision C(2020)4329 ⁽⁶⁾, the Commission made a request to the European Committee for Standardization (CEN), the European Committee for Electrotechnical Standardization (Cenelec) and the European Telecommunications Standards Institute (ETSI) to revise existing harmonised standards on household dishwashers, household washing machines and household washer-dryers in support of Regulations (EU) 2019/2022 and (EU) 2019/2023 and Delegated Regulations (EU) 2019/2017 and (EU) 2019/2014.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

⁽³⁾ Commission Regulation (EU) 2019/2023 of 1 October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1015/2010 (OJ L 315, 5.12.2019, p. 285).

⁽⁴⁾ 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).

⁽⁵⁾ Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission Directive 96/60/EC (OJ L 315, 5.12.2019, p. 29).

⁽⁶⁾ Commission Implementing Decision C(2020)4329 of 1 July 2020 on a standardisation request to the European Committee for Standardisation, the European Committee for Electrotechnical Standardisation and the European Telecommunications Standards Institute as regards ecodesign and energy labelling requirements for household dishwashers, household washing machines and household washer-dryers in support of Commission Regulations (EU) 2019/2022 and (EU) 2019/2023 and Commission Delegated Regulations (EU) 2019/2017 and (EU) 2019/2014.

- (4) On the basis of the request set out in Implementing Decision C(2020)4329, Cenelec revised the harmonised standards EN 60456:2016 and EN 50229:2015 in order to take account of the technical and scientific progress. This resulted in the adoption of the amendment EN 60456:2016/A11:2020 and of a new harmonised standard EN IEC 62512:2020, as amended by EN IEC 62512:2020/A11:2020.
- (5) The Commission together with Cenelec, has assessed whether the harmonised standards EN 60456:2016, as amended by EN 60456:2016/A11:2020, and EN IEC 62512:2020, as amended by EN IEC 62512:2020/A11:2020, comply with the request set out in Implementing Decision C(2020) 4329.
- (6) The harmonised standards EN 60456:2016, as amended by EN 60456:2016/A11:2020, and EN IEC 62512:2020, as amended by EN IEC 62512:2020/A11:2020, satisfy the requirements which they aim to cover and which are set out in Regulation (EU) 2019/2023 and Delegated Regulation (EU) 2019/2014.
- (7) Points ZA.4.9 and ZA.4.10 of harmonised standards EN 60456:2016 and EN IEC 62512:2020 should be excluded from publication given that those points make a reference to the application of European standardisation deliverables CLC/TS 50577 and CLC/TS 50707:2019. Reference to European standardisation deliverables in a harmonised standard is incompatible with the nature of harmonised standards. The European standardisation deliverables and harmonised standards, as defined in Article 2(1) and (2) of Regulation (EU) No 1025/2012, are two different instruments serving different purposes. Such reference is also contrary to the request set out in Implementing Decision C(2020)4329 which covers only harmonised standards.
- (8) The column 'Remarks/Notes*' of Table ZZA.1 in harmonised standards EN 60456:2016 and EN IEC 62512:2020 for the purposes of Delegated Regulation (EU) 2019/2014 and the column 'Remarks/Notes*' of Table ZZB.1 in those standards for the purposes of Regulation (EU) 2019/2023 should be excluded from publication due to inconsistency of those columns with requirements in the main normative body of the standards and due to legal uncertainty resulting from the interpretation of the legal effect of presumption of conformity included in the footnote to those columns.
- (9) It is therefore appropriate to publish the reference of harmonised standards EN 60456:2016, as amended by EN 60456:2016/A11:2020, and EN IEC 62512:2020, as amended by EN IEC 62512:2020/A11:2020, in the *Official Journal of the European Union* with restriction.
- (10) Harmonised standard EN 60456:2016, as amended by EN 60456:2016/A11:2020, replaces harmonised standards EN 60456:2016 and EN 60704-2-4:2012, published by Commission communication 2016/C 416/01 ⁽⁷⁾. Harmonised standard EN IEC 62512:2020, as amended by EN IEC 62512:2020/A11:2020, replaces harmonised standard EN 50229:2015, as corrected by EN 50229:2015/AC:2016, published by Commission communication 2016/C 416/02 ⁽⁸⁾. It is therefore appropriate to repeal those communications.
- (11) Compliance with a harmonised standard confers a presumption of conformity with the corresponding requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

HAS ADOPTED THIS DECISION:

Article 1

The references to harmonised standards for household washing machines and household washer-dryers drafted in support of Delegated Regulation (EU) 2019/2014 and listed in Annex I to this Decision are hereby published in the *Official Journal of the European Union* with restriction.

The references to harmonised standards on household washing machines and household washer-dryers drafted in support of Regulation (EU) 2019/2023 and listed in Annex II to this Decision are hereby published in the *Official Journal of the European Union* with restriction.

⁽⁷⁾ Commission communication in the framework of the implementation of the Commission Regulation (EU) No 1015/2010 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household washing machines and of Commission Delegated Regulation (EU) No 1061/2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 416, 11.11.2016, p. 1).

⁽⁸⁾ Commission communication in the framework of the implementation of the Commission Directive 96/60/EC implementing Council Directive 92/75/ECC with regard to energy labelling of household combined washer-driers (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 416, 11.11.2016, p. 3).

Article 2

Communications 2016/C 416/01 and 2016/C 416/02 are repealed.

Article 3

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 3 June 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Harmonised standards drafted in support of Delegated Regulation (EU) 2019/2014

No	Reference of the standard
1.	EN 60456:2016 Clothes washing machines for household use – Methods for measuring the performance EN 60456:2016/A11:2020 Restriction: this publication does not cover the following parts of the standard: (a) points ZA 4.9 and ZA.4.10; (b) column 'Remarks/Notes*' to Table ZZA.1.
2.	EN IEC 62512:2020 Electric clothes washer-dryers for household use – Methods for measuring the performance EN IEC 62512:2020/A11:2020 Restriction: this publication does not cover the following parts of the standard: (a) points ZA 4.9 and ZA.4.10; (b) column 'Remarks/Notes*' to Table ZZA.1.

ANNEX II

Harmonised standards drafted in support of Regulation (EU) 2019/2023

No	Reference of the standard
1.	EN 60456:2016 Clothes washing machines for household use – Methods for measuring the performance EN 60456:2016/A11:2020 Restriction: this publication does not cover the following parts of the standard: (a) points ZA.4.9 and ZA.4.10; (b) column 'Remarks/Notes*' of Table ZZB.1.
2.	EN IEC 62512:2020 Electric clothes washer-dryers for household use – Methods for measuring the performance EN IEC 62512:2020/A11:2020 Restriction: this publication does not cover the following parts of the standard: (a) points ZA.4.9 and ZA.4.10; (b) column 'Remarks/Notes*' of Table ZZB.1.