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COMMISSION REGULATION (EU) …/…

of XXX

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

(Text with EEA relevance)

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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

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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 ([1]), and in particular Article 15(1) thereof,

Whereas:

(1) Space and combination heaters have the highest energy consumption of all the energy related products regulated under the ecodesign framework. According to the latest information available ([2]), the heating of space and water represents around three quarters of the final energy consumed by households. The Commission already set ecodesign requirements for space and combination heaters with a rated heat output of up to 400 kW in Regulation (EU) 813/2013 ([3]) including energy efficiency requirements for heaters, maximum sound power level requirements for heat pumps and maximum nitrogen oxides emission levels for heaters using fuels. It is also relevant to note that third party certification procedures set under Council Directive 92/42/EEC remained valid to assess compliance of boilers fired by liquid or gaseous fuels with the relevant energy efficiency requirements under Regulation (EU) 813/2013.

(2) The 2022-2024 ecodesign and energy labelling working Plan ([4]) identified space and combination heaters among those product groups for which more stringent ecodesign and energy labelling requirements were to be set in view of their expected additional benefits. At the time of the adoption of the "Ecodesign for sustainable products and

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1 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, ELI: http://data.europa.eu/eli/dir/2009/125/oj).

2 Energy consumption in households (https://ec.europa.eu/eurostat/statistics-explained/SEPDF/cache/58200.pdf)

3 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/2013/813/oj).

4 Communication from the Commission, Ecodesign and Energy labelling Working Plan 2022-2024 (2022/C 182/01) (C/2022/2026) (OJ C 182, 4.5.2022, p. 1)

energy label working plan for the period 2025-2030" ([5]), the Commission endorsed as a priority the finalisation of the measures identified under article 79 of Regulation (EU) 2024/1781 ([6]), which include the revision of Regulation (EU) 813/2013.

(3) Pursuant to Article 7 of Regulation (EU) 813/2013, the Commission assessed the technical, environmental and economic aspects of space and combination heaters. The review estimated that the ecodesign and energy labelling requirements provided for in Regulations (EU) 813/2013 and (EU) 811/2013 ([7]) helped to reduce final energy consumption by 25 TWh/year and greenhouse gas emissions by 6 MtCO2eq/year in 2020, compared with a business as usual scenario (situation without these measures). The results of the review were made public and presented to the Consultation Forum set up in accordance with Article 18 of Directive 2009/125/EC. The Commission also assessed whether setting stricter or broader ecodesign requirements could reduce: (i) emissions to air and water during the production phase (caused by the extraction and processing of raw materials); (ii) energy consumption during use phase; (iii) emissions of nitrogen oxides arising from fuel combustion; (iv) noise emissions during the use phase; and (v) waste generation at the end of life. Also the appropriateness of third party verification and the importance to use an update conversion coefficient value have been assessed. According to the impact assessment, updated ecodesign and energy labelling measures could reduce final energy consumption and greenhouse gas emissions by 60 TWh/year, 12 MtCO2-eq/year and 8 kt NOx/year respectively by 2030.

(4) According to the impact assessment study, final energy consumption of space and combination heaters with a standard rated heat output equal to or lower than 1 MW amounts to 1 862 TWh/year in the business-as-usual scenario for base year 2020. That represents 18 % of the EU's total final energy consumption and 42 % of the final energy consumption of household and service sectors. While the projected energy consumption of space and combination heaters with a standard-rated heat output of up to 1 MW is expected to decrease to 1 340 TWh/year in 2030, setting ecodesign and energy labelling requirements also for these standard rated heaters should accelerate this trend. About 15 % of the 1 862 TWh/year final energy consumption of space and combination heaters is due to heaters having a heat output between 400 kW and 1 MW. Therefore, setting ecodesign requirements for these large industrial and commercial heating systems closes a significant gap. While extending the scope in relation to the previous regulation represents a regulatory improvement, it is however, necessary to avoid regulating solid fuel space heaters which are already subject to

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5 Implementation of the Ecodesign and Energy Labelling Working Plan 2022-24 Staff working document accompanying the Communication from the Commission: Ecodesign for sustainable products and energy labelling Working Plan 2025-2030 , adopted on 16/04/2025 (COM/2025/187 final).

6 Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC. PE/106/2023/REV/1. (OJ L, 2024/1781, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1781/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).

specific ecodesign rules, and space heaters larger than 1 MW which are regulated under Directive (EU) 2024/1785 ([8]).

(5) Strengthening ecodesign requirements across all heating technologies appears as a valid strategy to incentivize innovation and accelerate the market's shift towards more advanced energy-efficient solutions. In that regard, adequate ecodesign requirement can make a significant contribution to the decarbonization of buildings.

(6) For reasons of legal certainty, it is necessary to clarify the legal regime of heat pumps that combine refrigerant and water-based heat distribution. In particular, multi-split air-to-air heat pumps in which part of the refrigerant distribution system is replaced by water distribution should remain within the scope of Commission Regulation (EU) 2016/2281 ([9]) as long as the whole system is considered as a product. On the contrary, if the part of system which corresponds to an air-to-water product without the terminal water-to-air units and water-distribution pipes, is placed on the market or put into service as a single product, it should fall within the scope of this Regulation.

(7) In order to encourage the adoption of comprehensive energy solutions offering improved efficiency and lower environmental impact when compared with individual, non-integrated products, combinations of at least, one heater of 70 kW or less with at least one shower water heat recovery devices, temperature control or a solar device placed on the market or put into service by a single manufacturer should be considered as a finished energy product and treated as a package under the present Regulation. Information on the overall energetic performance of packages should be part of the technical documentation, the instruction manuals and free access web sites of manufacturers, their authorized representatives or importers. When a package is placed on the Union market, the manufacturer is responsible for the compliance of the complete package with the applicable legislation. The manufacturer of the package can rely on the conformity assessment of the integrated products to build the Declaration of Conformity, conformity assessment and documentation of the package.

(8) Shower water heat recovery devices, temperature controls and solar devices, whether installed separately or integrated in packages lower the energy required by heating systems which in turn translates into cost savings for consumers. To maximize their benefits and provide evidence of their effectiveness, it is important to establish ecodesign requirements for these devices.

(9) For reasons of legal certainty and clarity, it is appropriate that the new updated and more comprehensive ecodesign requirements are embodied in a regulation repealing the previous regulatory requirements and not pursued through amendments to the previous Regulation or Council Directive 92/42/EEC ([10]).

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8 Directive (EU) 2024/1785 of the European Parliament and of the Council of 24 April 2024 amending Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC on the landfill of waste. PE/87/2023/REV/1. (OJ L, 2024/1785, 15.7.2024, ELI: http://data.europa.eu/eli/dir/2024/1785/oj).

9 Commission Regulation (EU) 2016/2281 of 30 November 2016 implementing Directive 2009/125/EC with regard to ecodesign requirements for air heating products, cooling products, high temperature process chillers and fan coil units. C/2016/7769. (OJ L 346, 20.12.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/2281/oj).

10 Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels (OJ L 167, 22.6.1992, pp. 17, ELI: http://data.europa.eu/eli/dir/1992/42/oj)

(10) The minimum energy-efficiency requirements for fuel boilers should become stricter in order to boost technological progress. Owing to the growing share of renewables in Europe, the minimum energy-efficiency requirement for electric boilers should remain unchanged except for the application of the lower conversion coefficient. Additionally in order to decrease the costs of technologies that are more energy efficient than boilers and to promote their deployment, the minimum energy-efficiency requirements of heat pumps, hybrid heat pumps and cogeneration heaters should be set at a level that both takes into consideration lifecycle costs and impacts on affordability.

(11) A lower turndown ratio can significantly increase heating energy efficiency in real operating conditions, although it has only a limited effect on the standard-rated efficiency of fuel boilers. For that reason, a minimum turndown ratio should be applied to fuel boiler heaters with a rated output lower than or equal to 70 kW.

(12) To increase energy savings, the minimum water-heating energy-efficiency requirements for fuel boilers and more efficient systems should be increased to match the requirements adopted for space heating, including the requirements for B1 boilers. As an exception, no changes should be made to the minimum water-heating energy-efficiency requirements for electric boiler combination heaters compared with the requirements laid down in Commission Regulation (EU) 813/2013, apart from the changes made as a result of applying the lower conversion coefficient.

(13) Also, to align with the load profile available for combination heaters, water-heating load profiles used to calculate water energy efficiency should be limited to only the S to 4XL categories. Manufacturers should declare the maximum load profile of their water heating products to ensure the effective phase-out of electric boiler heaters for load profile categories XXL to 4XL. As outlined in Annex 2, Table 2, these categories cannot achieve the minimum energy efficiency standards in the present Regulation.

(14) The conditions for testing water-heating energy efficiency for combination heaters under this Regulation should be harmonised with those conditions required under Regulation [xxxx/2026] ([11]). In particular, the requirement for combination heaters to be able to supply water at 50 °C in 'out-of-the-box mode' for all the declared load profiles entails significant energy savings as it avoids that the electric backup heater would need to operate continuously. That requirement reflects real-life operation in which heat pump water heaters are typically installed with temperature set points of above 50 °C and below 55 °C.

(15) The provisions on the air pollutant emissions of heaters that use liquid or gaseous fuels should include a correction coefficient when products that use gases other than G20 gases are tested, to avoid those products being unfairly penalised because of the higher resulting emissions.

(16) Economic operators should avoid practices illegally altering products' performance with a view to reach more favourable results in line with Article 40 paragraphs 1 to 4 of Regulation (EU) 2024/1781. Additionally economic operators should refrain from software and hardware updates that will worsen products' performance in relation to any of the declared values for the parameters set under the present Regulation, unless the customer has given its explicit consent prior to this update, as this worsening is

[11] COMMISSION REGULATION (EU) …/… of 2026 setting ecodesign requirements for water heaters, solar devices, shower water heat recovery devices, packages of those products and hot water storage tanks, amending and repealing Commission Regulation (EU) No 814/2013 (OJ L, 2026/XXX, dd.mm.yyyy, ELI: http://data.europa.eu/eli/reg/2026/XXX/oj).

considered beyond the acceptable margins mentioned in Article 40 paragraph 5 of Regulation (EU) 2024/1781.

(17) To enhance repairability, facilitate recyclability and reduce waste and impact, adequate material resource efficiency requirements should be set for heaters of 70 kW or less. These requirements should guarantee availability and prompt delivery of spare parts during a minimum period and access to minimum repair and maintenance information. Also, heaters should be designed to ensure that they can be dismantled and recycled in line with Union legislation on electrical and electronic equipment ([12]). To encourage repair, the price of spare parts should be accessible on manufacturers, importers or authorized representatives' free access websites.

(18) Comprehensive and accurate performance data for heaters, in both heating and cooling modes, and under various part load conditions are essential for calculating the heaters' energy consumption. That data is, in turn, also used to draw up buildings' energy performance certificates under Directive (EU) 2024/1275 ([13]). It is particularly important to collect those data for heat pumps and hybrid heat pumps, where such performance data are not yet available. Also, requiring the technical documentation to indicate how to set the heaters' control settings will enable test laboratories to perform the tests independently of manufacturers.

(19) To ensure that consumers have the necessary information to compare and make informed decisions about reversible heat pumps, it's important to focus on both the cooling function of reversible heat pumps and the potential for geothermal cooling benefits and cost-effectiveness of their options. Making this information on these two parameters readily available in user manuals and free-access websites, ensures that consumers have access to information relevant to assess the energy performance of various heat pump models and their suitability for specific needs.

(20) To accelerate the deployment of interoperable energy smart heaters providing demand-response functions, manufacturers who adhere to the "Code of Conduct (CoC) for Energy Smart Appliances" should be allowed to provide the relevant product technical information and to affix the interoperability logo laid down by Regulation [xxxx/2026] ([14]) on the appliance's nameplate or enclosure, packaging and instruction manual. If manufacturers choose to do so, they should also include the necessary information for verification of the relevant product technical information in the technical documentation of the heater, including the version of the Code with which the heater complies.

(21) Real-world performance and energy consumption of heaters-depends largely on their operating conditions. Setting self-monitoring requirements for the space heating function should enable customers and installers of heaters to track and understand the impact of technical and behavioural changes and other operating conditions in terms of

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12 Directive 2012/19/EU of the European Parliament and the Council of 4 july 2012on wase electrical and electronic equipment (OJ L 197 24.07.2012 p.38. ELI: http://data.europa.eu/eli/dir/2012/19/oj).

13 Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings (OJ L, 2024/1275, 8.5.2024,ELI: http://data.europa.eu/eli/dir/2024/1275/oj).

14 Commission Delegated Regulation (EU) XXX/2026 of dd.mm.yyyy 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 and repealing Commission Delegated Regulation (EU) No 811/2013. (OJ L, 2026/XXX, dd.mm.yyyy, ELI: http://data.europa.eu/eli/dir/2026/XXX/oj).

energy savings. For reasons of legal certainty, clear storage and access conditions to stored information both for users of individual appliances and for third parties should be set.

(22) Measurement methods and calculations should be updated and improved to reflect the technological progress and real-life conditions. Specifically, new measurement and calculation methods should be established for hybrid heat pumps to adequately address this emerging product category. The existing test methods are categorized as either 'separate' or 'combined' test methods, both of which are acceptable, provided they maintain high accuracy.

(23) To simplify the rating of water-to-water heat pumps a single set of testing conditions should be set. Since ground source installations are currently more frequent than ground-water installations, ground source test conditions should be retained in this regulation as standard rating test conditions for water-to-water heat pumps. Additionally, the ground source test conditions should be adjusted from 0 °C, which were referenced for testing under Regulation (EU) 813/2013, to 5 °C in order to reflect average conditions.

(24) Electricity consumption should be multiplied by the primary energy factor for the electricity conversion coefficient of 1,9 set under Article 31(3) of Directive (EU) 2023/1791 ([15]) when calculating the energy efficiency values for seasonal space heating, seasonal space cooling and water heating energy efficiency values, as they are primary energy efficiency metrics. However, in order to accurately calculate the seasonal water heating efficiency for a cogeneration space heaters so as to account for energy losses during electricity generation and to better reflect the primary energy impact of the electricity used by cogeneration space heaters, a higher primary energy factor (PEF) for electricity of 2,65 (instead of the primary energy factor value of 1,9) should be used.

(25) Limiting noise emissions via maximum sound power levels is important for all space and combination heaters. It is also particularly relevant for the smaller size products that are installed in the built environment, which is rather constrained in terms of outdoor and indoor noise. Therefore, maximum noise requirements should be set for all relevant subcategories of heaters. For heaters with a capacity of 70 kW or less, both indoor and outdoor acoustic noise emissions should be systematically assessed

(26) For these requirements to be useful, the standard rated conditions used for noise should be close to the maximum noise levels. Updated sound power testing procedures for heaters of 70 kW or less, better reflecting real-life conditions (set in Annex III section 8) should be set.

(27) In order to better capture real behaviour of space heating and cooling heat pumps, a new test procedure (called “the compensation method”) should be set. In order to take into account practical implementation constraints and related economic impacts, it should initially apply to models of heat pumps and hybrid heat pumps with a standard rated heat output of 70KW or less, whose first unit is placed on the market or put into service by or after dd.mm.yyyy *[a date as date of entry into force of this Regulation*

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15 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).

plus 48 months – OP – Please insert reference] and then become applicable for all concerned heaters placed on the market by or after dd.mm.yyyy *[the date of entry into force of this Regulation plus 72 months – OP – Please insert reference]*.

(28) Space heaters' essential ecodesign characteristics should be measured and calculated using reliable, accurate and reproducible measurement and calculation methods. Those methods should include, where available, harmonised standards adopted by the European standardisation organisations following a request by the Commission under the procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council ([16]). In the absence of harmonised standards, the transitional methods set out in Annex IV should be used to verify whether heaters comply with the requirements under the present Regulation.

(29) In line with Article 8 of the Ecodesign Directive, this regulation specifies the conformity assessment procedures to be applied by manufacturers before placing a product covered by this regulation on the market or putting it into service. Manufactures of heaters with a heat rated output equal or less than 1 MW but greater than 400 kW should apply either the internal control design set in Annex IV or the management system set out in Annex V of the Ecodesign Directive.

(30) Extending third-party conformity assessment procedures to all heaters with a rated heat output of 400 kW or less is relevant to foster public confidence in heaters' declared performances and improve comparability of performances declared across all technologies. In that vein and in order to avoid excessive cost, third-party conformity assessment procedures should be based on the EU-type examination model and EU type approval as described in Decision 768/2008/EC.

(31) To align verification tolerances with measurement uncertainties during compliance checks by surveillance authorities, it is relevant to establish stricter tolerance values, including those for intermediate measurement parameters. Furthermore, in order to avoid excessive costs, the number of models to be tested should be determined using the sampling rate outlined in Annex VII of this Regulation.

(32) In addition to the legally binding requirements set under this Regulation, indicative benchmarks for the best available technologies should be identified in order to ensure that information on the life cycle environmental performance of heaters is publicly available. These benchmarks should also satisfy the requirements for public procurement laid down in Annex IV of Directive 2023/1791.

(33) To ensure seamless transition from previous conformity procedures to the EU-type examination mode and EU type approval as outlined in Decision 768/2008, it is appropriate to provide for appropriate time to Member States to designate notified assessment bodies with competence to apply TPCA procedures to heaters under the present regulation. Therefore TPCA procedures should initially apply to electric boilers, heat pumps, hybrid heat-pump heaters, and cogeneration heaters whose first unit is placed on the Union market or put into service on or after dd.mm.yyyy *[a date four years after the entry into force of the present regulation – OP – Please insert*

[16] 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. (OJ L 316, 14.11.2012, p. 12, ELI: http://data.europa.eu/eli/reg/2012/1025/oj).

reference]. Subsequently, six years after this regulation comes into force, EU-type examination mode and EU type approval as outlined in Decision 768/2008 should be applicable to any heater including fuel boilers. Until that date, fuel boilers conformity assessment procedures under Directive 92/42/EEC should remain applicable. To strengthen regulatory oversight, particularly on third party conformity assessment procedures, manufacturers of heaters with a standard rated heat output of 400 kW or less, should ensure that the product documentation includes the date of placement of the first unit of the concerned model on the market and the specific notified body involved in the third-party conformity assessment procedure.

(34) To give manufacturers sufficient time for design adjustments and allow time to clear their existing stocks, self-monitoring requirements for space heaters of 70 kW should initially apply to new models first placed on the market by or after four years after entry into force of this regulation and then become mandatory for any space heaters placed on the market put into service as from dd.mm.yyyy *[date 72 months years after date of entry into force of this Regulation – OP – Please insert reference]*. In the same vein, the shift to the compensation test method for heat pumps and hybrid heat pumps of 70 kW or less , 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 fist 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 reference]*.

(35) In order to ensure that manufactures have the time to adapt to the challenges involved in complying with the updated noise standards, these should apply first to heaters whose first unit is placed on the market or put into service by or after dd.mm.yyyy *[the date of entry into force of this Regulation plus 48 months – OP – Please insert reference]*. Subsequently they should become mandatory for any heater 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 reference]*.

(36) To enhance legal certainty and ensure a level playing field in the assessment of water heating performance of combination heaters under Regulation (EU) 813/2013 and in the measurement and calculation of NOx emissions when using kerosene and its related test method, Regulation (EU) 813/2013 should be amended with effect from the date of entry into force of the present regulation and should apply in its amended form until its date of repeal by the present regulation.

(37) Commission Regulation (EU) 813/2013 should be repealed with effect from dd.mm.yyyy *[date of entry into force of this Regulation +24 months – OP – Please insert reference]*.

(38) Directive 92/42/EEC should be repealed with effect from dd.mm.yyyy *[date of entry into force of this Regulation +72 months – OP – Please insert reference]*.

(39) The measures provided for in this Regulation are in accordance with the opinion of the Committee under Article 19(1) of Directive 2009/125/EC.

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation sets ecodesign requirements for the placing on the market or putting into service of:

   i) space heaters and combination heaters, with a standard rated heat output equal to or less than 1 MW.

   ii) packages that consist of a space or a combination heater with a standard rated heat output of 70 kW or less combined with one or more temperature controls, one or more solar devices and /or one or more shower water heat recovery devices, which is integrated by a single manufacturer and placed on the market or put into service as a single finished product offered to consumers.

   It also sets ecodesign requirements for temperature controls, solar devices and shower water heat recovery devices, whether or not integrated in packages mentioned in ii) above.

2. This Regulation shall not apply to:

   (a) heaters specifically designed to use biogas or bioliquids, unless they can also use gaseous or liquid fossil fuels;

   (b) heaters that use solid fuels;

   (c) heaters within the scope of Directives 2010/75/EU ([17]) and (EU) 2015/2193 ([18]) of the European Parliament and of the Council;

   (d) cogeneration space heaters with a standard 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:

   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, is equipped with one or more heat generators.

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

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[17] 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).

[18] 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).

(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 that is to be connected to an external supply of drinking or sanitary water;

(5) ‘temperature control’ means the equipment that interfaces with the end-user regarding the values and timing of the desired indoor air temperature, and communicates the 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 a configuration 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, except for possibly a backup immersion heater;

(7) ‘shower water heat recovery device’ means a device where heat from spent shower water going into the sewage system is transferred instantaneously to the incoming cold water supplying the water heater and/or the shower tap;

(8) ‘biogas’ means biogas as defined in Article 2(28) of Directive (EU) 2018/2001 ([19]);

(9) ‘bioliquids’ means bioliquids as defined in Article 2(32) of Directive (EU) 2018/2001;

(10) ‘standard rated heat output’ (P_4 or $P_{design,h}$) means the maximum heat output in the 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) ‘water-based heat distribution system’ means a system using water as a heat transfer medium to distribute generated heat to heat emitters for the space heating of buildings, or parts thereof;

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

(14) ‘fuel boiler heater’ means a heater with a heat generator that combusts gaseous or liquid fuels for heat generation;

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

(16) ‘heat pump heater’ means a heater that has a heat generator with a heat pump cycle to capture ambient energy, geothermal energy and/or waste heat for heat generation; it can include a backup heater;

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

(18) ‘design load’ of a heat pump heater or hybrid heat pump heater ($P_{design,h}$) means the heat load at reference design conditions, expressed in kW;

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[19] 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).

(19) ‘electric heat pump heater’ means a heat pump heater with a heat generator driven by electricity; it can include an electric backup heater;

(20) ‘electric backup heater’ means a backup heater that generates heat using the Joule effect in electric resistance heating elements;

(21) ‘fuel heat pump heater’ means a heat pump heater with a heat generator driven by fuel combustion; it can include a fuel backup heater;

(22) ‘fuel backup heater’ means a backup heater that generates heat through the combustion of liquid or gaseous fuel;

(23) ‘hybrid heat pump heater’ means an encased assembly or assemblies designed as a unit consisting of:

(a) a hybrid master control (which optimizes the operation of two heat generators for space heating and possibly water heating, and:

(b) one heat generator that uses a heat pump cycle to capture ambient energy, geothermal energy and/or waste heat for heat generation, and

(c) one heat generator that uses the combustion of gaseous or liquid fuels for heat generation;

(24) ‘cogeneration heater’ means a heater with a heat generator that simultaneously generates heat and electricity in one process; it can include a fuel backup heater;

(25) ‘sound power level’ (L_{WA}) means the A-weighted sound power level, indoors and/or outdoors, expressed in dB(A).

(26) ‘declared values’ means the stated, calculated or measured values provided in the technical documentation by the manufacturer, importer or authorised representative.

Article 3

Ecodesign requirements

1. Products referred to in Article 1 shall meet the ecodesign requirements set out in Annex II.

2. Compliance with ecodesign requirements shall be measured and calculated according to the requirements set out in Annex III and Annex IV.

Article 4

Conformity assessment procedures for space and combination heaters

1. As from dd.mm.yyyy *[the date of entry into force + 24 months – OP – Please insert reference]*, the manufacturer or its authorized representative shall, before placing on the market or putting it into service, a heater with a standard rated heat output equal or less than 1 MW but more than 400 kW ensure that the conformity assessment procedure is either the internal design control set out in Annex IV to Directive 2009/125/EC or the management system set out in Annex V to that Directive.

2. As from dd.mm.yyyy *[the date of entry into force + 48 months – OP – Please insert reference]*, the manufacturer or its authorized representative shall, before first placing on the market or putting into service heaters, with a standard rated heat output equal or less than 400 kW which is not a fuel boiler submitted to conformity

assessment procedures pursuant Directive 92/42/EEC, ensure that the conformity assessment procedure is as follows:

(a) an EU-type examination, that includes the testing of a specimen that is representative of the expected production type, according to module B, as described in Annex II of Decision 768/2008/EC and following the specifications for the conformity assessment procedures set out in Annex VII to this Regulation, and

(b) a declaration of conformity with the approved EU-type, according to module C2 or D, as described in Annex II of Decision 768/2008/EC and following the specification of the conformity assessment procedures set out in Annex VII to this Regulation.

3. As from dd.mm.yyyy *[the date of entry into force + 72 months – OP – Please insert reference]*, the manufacturer or its authorized representative shall, before placing on the market or putting into service any heater, including fuel boilers, with a standard rated heat of 400 kW or less ensure that the conformity assessment set in paragraph 2 of this article (‘‘EU type examination’ and ‘approved EU-type”) is applied.

4. For the purposes of conformity assessment under this article, the technical documentation shall contain the declared values of the parameters listed in Annex II, Section 7 of this Regulation.

Article 5

Conformity assessment of temperature controls, solar devices and shower heater devices

1. The conformity assessment procedure referred to in Article 8(2) of Directive 2009/125/EC for temperature controls, solar devices and shower heater devices shall be the internal design control set out in Annex IV to that Directive or the management system for assessing conformity set out in Annex V to that Directive.

2. For the purposes of the conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation shall contain the declared values of the parameters listed in sections 6.2 and 7 of Annex II to this Regulation and the details and results of the calculations undertaken in accordance with Annex III to this Regulation.

3. Where the information included in the technical documentation for a particular model has been obtained from either of the following means, the technical documentation shall include the details of the calculation, the assessment undertaken by the manufacturer to verify the accuracy of the calculation and, where appropriate, the declaration of identity between the models of different manufacturers:

(a) from a model that has the same technical characteristics relevant for the technical information to be provided but is produced by a different manufacturer, or

(b) by calculation on the basis of design or extrapolation from another model of the same or a different manufacturer, or both.

4. The technical documentation shall include a list of all equivalent models, including the model identifier.

Article 6

Verification procedure for market surveillance purposes

When performing the market surveillance activities to ensure compliance with the requirements set out in Annex II to this Regulation, the Member States' authorities shall apply the verification procedure set out in Annex V to this Regulation.

Article 7

Energy efficiency benchmarks

The indicative benchmarks for the best performing heaters at the time of adoption of this Regulation shall be as set out in Annex VI to this Regulation.

Article 8

Review

1. By dd.mm.yyyy *[a date 8 years after date of entry into force – OP – Please insert reference]*, the Commission shall review this Regulation in the light of technological progress and shall present to the Ecodesign Forum set under Regulation (EU) 2024/1781 the result of that review including, if appropriate, a draft revision proposal.

2. No later than dd.mm.yyyy *[a date 18 months after date of entry into force – OP – Please insert reference],* the Commission shall present to the Consultation Forum set under Article 18 of the Directive 2009/125/EC, a list of environmental impact indicators along the life cycle of products in scope of this Regulation and rules allowing to establish such indicators and if appropriate a draft revision proposal to add related information requirements.

Article 9

Amendments to Regulation (EU) 813/2013

Commission Regulation (EU) 813/ 2013 is amended as follows:

a) Annexes I and III are amended as set out in Annex VIII to this Regulation.

Article 10

Repeal

1. Commission Regulation (EU) 813/2013 shall be repealed as from dd.mm.yyyy *[a date 24 months after date of entry into force – OP – Please insert reference]*.

2. Council Directive 92/42/EEC shall be repealed as from dd.mm.yyyy *[a date 6 years after date of entry into force – OP – Please insert reference]*.

Article 11

Transitional provisions

1. Until dd.mm.yyyy *[the date of entry into force + 72 months minus one day – OP – Please insert reference]*, manufacturers or its authorized representatives shall before placing on the market or putting into service a heater with an standard rated heat output of 400 kW or less shall ensure that:

(a) in the case of fuel boilers, the conformity assessment is the conformity assessment procedure set under Directive 92/42/EEC;

(b) in the case of models of electric boilers, cogeneration heaters, heat pumps and hybrid heat pumps heaters whose first unit has been placed on the market or put into service before dd.mm.yyyy *[the of date entry into force + 48 months – OP – Please insert reference],* the conformity assessment procedure is the internal design control set out in Annex IV to Directive 2009/125/EC or the management system set out in Annex V, as referred to in Article 8(2) of the same Directive.

2. 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 mentioned in point 1 (b) above, or its authorized representatives shall ensure that the measurement of sound power level pursuant to point 7.1 of Annex II to this regulation is carried out at the conditions identified as settings 1 in table 13 of point 7.1 of Annex III.

Article 12

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. It shall apply from dd.mm.yyyy [OP, please insert the date = 24 months after the date of entry into force of this Regulation]. However, Article 9 shall apply from dd.mm.yyyy [OP, please insert the date of entry into force of this Regulation].

2. As an exception from the dates set in the first paragraph above, the self-monitoring requirements for heaters set out in Section 10 of Annex II to this Regulation shall apply:

(a) from dd.mm.yyyy *[the date of entry into force + 48 months – OP – Please insert reference]* to models of heaters with a standard-rated heat output of 70 kW or less whose first unit is placed on the market or put into service by or after that date of application,

(b) from dd.mm.yyyy *[the date of entry into force + 72 months – OP – Please insert reference]* to any heaters with a standard-rated heat output of 70 kW or less placed on the market or put into service after that date.

3. As an exception from the dates set in the first paragraph above, the compensation method specified in point 1.3.4 of Annex II to this Regulation shall apply:

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

(b) from dd.mm.yyyy *[the date of entry into force + 72 months – OP – Please insert reference]* 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. As an exception from the dates set in the first paragraph above, measurement of sound power level of heat pump heaters and hybrid heat pump heaters shall be carried out as follows:

(a) for 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 III

(b) for any heat pump heater or hybrid heat pump placed on the market or put into service from dd.mm.yyyy *[the 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 III.

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