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COMMISSION REGULATION (EU) …/…

of XXX

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

(Text with EEA relevance)

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(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) An average EU household uses more energy on heating than on anything else: space and water heating represent more than three quarters of the final energy consumed by households in 2023. Water heating accounts for roughly 15 % of the final energy consumed by households in the EU in 2023. According to the latest information available, dedicated water heaters represent around 40 % of the final energy consumed by households for water heating. The Commission has already established ecodesign requirements for dedicated water heaters in Regulation (EU) No 814/2013 ([2]).

(2) The Ecodesign and Energy Labelling Working Plan 2022-2024 ([3]) identified water heaters among the product groups for which more stringent ecodesign and energy labelling requirements are due or expected. The Commission confirmed that it is placing the highest priority on advancing the work undertaken with a view to adopt the relevant ecodesign and energy labelling measures before the end of 2026 ([4]).

(3) The Commission has carried out a review of that Regulation pursuant to Article 7 thereof and assessed the technical, environmental and economic aspects of water heaters. The review study shows that the ecodesign and energy labelling measures included in Regulation (EU) No 814/2013 and Commission Delegated Regulation

([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]) Commission Regulation (EU) No 814/2013 of 2 August 2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for water heaters and hot water storage tanks (OJ L 239, 6.9.2013, p. 162, ELI: http://data.europa.eu/eli/reg/2013/814/oj).

([3]) 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).

([4]) "Implementation of the Ecodesign and Energy Labelling Working Plan 2022-24" Staff working document accompanying the Communication from the Commission of 16 April 2025 on the "Ecodesign for Sustainable Products and Energy Labelling Working Plan 2025-2030 (COM(2025)187 final).

(EU) No 812/2013 ([5]) helped to reduce the final energy consumption by 16 TWh/year in 2020, as compared to a business-as-usual scenario. The review study also assessed whether setting ecodesign requirements could reduce: (i) emissions to air and water during the production phase (due to the extraction and processing of raw materials); (ii) energy consumption when in use; (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.

(4) It is estimated that the water heaters consumed 109 TWh of final energy in 2020, which represents about 1 % of the total final energy consumption, or 2.5 % of the sum of the residential and commercial final energy consumption in the EU. According to the studies carried out, updated ecodesign and energy labelling measures could reduce final energy consumption and greenhouse gas emissions by 20 TWh/year and 0,8 MtCO2-eq/year by 2040. The results of the review were made public and presented to the Consultation Forum established by Article 18 of Directive 2009/125/EC.

(5) To align with the technical advancements in the market, new types of products, such as cogeneration water heaters and hot water storage tanks incorporating phase change materials that enhance their thermal performance, should be included in the scope of this Regulation.

(6) 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 water heater with at least one solar device and/or one shower water heat recovery which are placed on the market or put into service by a single manufacturer should be considered as a finished energy product called package. 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 incorporating other products 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".

(7) Manufacturers should declare the maximum load profile of their water heating products to ensure the effective implementation of the ban on electric boiler heaters for load profile categories XXL to 4XL, as specified in Annex II, Table 1.

(8) To ensure that the innovative features of different products are accurately communicated via energy labels while simplifying compliance with concurrent requirements for the same product group, it is appropriate that the scope of the present regulation is consistent, to the extent feasible, with the scope retained under the Commission Regulation (EU) XXX/2026 [xxxx/2026] ([6]).

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([5]) Commission Delegated Regulation (EU) No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device (OJ L 239, 6.9.2013, p. 83. ELI:http://data.europa.eu/eli/reg_del/2013/812/oj).

([6]) Commission Delegated Regulation (EU) …/2026 of XXX supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to the energy labelling of water heaters, solar devices, shower water heat recovery devices, packages of those products and hot water storage tanks, and amending and repealing Commission Delegated Regulation (EU) No 812/2013 *[the publication*

(9) For reasons of legal certainty, it is appropriate to clarify that heaters specifically designed for using biogas or bioliquids and which are not suitable for the use of other gaseous or liquid fuels are excluded from the present regulation. Also, to avoid potentially contradictory requirements in terms of emissions and energy efficiency, water heaters within the scope of Directives 2010/75/EU and EU/2015/2193 of the European Parliament and the Council, are excluded from the requirements set under the present Regulation.

(10) Setting uniform minimum energy performance requirements across all dedicated water heating technologies risks limiting potential energy savings in technologies with a greater margin for improvement. Instead, it is more suitable to tailor performance requirements to the capabilities and potential advancements of each different technology as this approach stimulates innovation and leads to greater energy savings. This is particularly relevant for gas water heaters where stricter minimum energy requirements could significantly increase their energy efficiency.

(11) Maximum thresholds of emissions setting for water heaters using liquid or gaseous fuels as a carburant should include a correction coefficient in the calculation when those water heaters use gases other than G20 gases, in order to avoid unfairly penalisations because of the higher resulting emissions.

(12) Heat pump water heaters commonly use hot water temperature set points lower than 55 °C. To avoid that this Regulation increases the energy consumption of these products, the hot water temperature set points should be decreased to 50 °C. Other products than heat pump should also benefit from this change of temperature set point to ensure a level playing field across the different water heater technologies.

(13) It is appropriate to introduce new testing conditions for electric heat pump water heaters using "indoor heated air" together with functional requirements that prevent products specifically designed to use colder air from gaining undue advantages from these more favourable testing conditions.

(14) In order to promote more circular economy, and to reduce waste and other environmental impacts; it is relevant to set comprehensive material resource efficiency requirements for water heaters with a standard rated heat output of 70 kW or less, as well as for hot water storage tanks. In that vein manufacturers, their authorized representatives and importers obligations should be obliged to provide spare parts for minimum period of time ending after the last unit of the concerned appliance has been placed on the market and to ensure timely delivery of spare parts and adequate access to repair and maintenance information for professional repairers. Also to enhance appliances reparability, the indicative price of spare parts should be publicly accessible on free access websites. Finally, concerned water heaters and hot water storage tanks should be designed so that they can be dismantled and recycled in line with Union legislation on electrical and electronical equipment ([7]).

(15) To accelerate the deployment of interoperable energy smart water 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 on the appliance's nameplate or on its enclosure,

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reference of the sister regulation on energy labelling that will be published on the same date – OP – Please insert reference].

([7]) 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).

packaging and user manual the interoperability logo laid down in Commission Delegated Regulation [xxxx/2026] ([6]).

(16) To facilitate compliance checks by market surveillance of the requirements laid down in this Regulation. manufacturers, importers or authorised representatives should include the relevant information in the technical documentation referred to in Annexes IV and V to Directive 2009/125/EC, Alternatively, manufacturers, their authorised representatives importers or authorised representatives may refer to the information entered in the product database pursuant to Commission Delegated Regulation [xxxx/2026] ([6]).

(17) Real-world performance and energy consumption of water heaters is significantly affected by operating conditions and in particular by the temperature of the stored water, the flow rate and ambient temperature. Setting self-monitoring requirements for water heaters with load profiles 3XL and 4XL, including those integrated in packages, would allow to track and understand the impact of technical and behavioural changes and other operating conditions of the concerned appliance. Conditions of storage, consumers and third-party access to self-monitored data should be specified in accordance with the relevant EU legislation.

(18) Measurement methods and calculations should be updated and improved to reflect the technological progress and real-life conditions. In particular, the calculation method for solar devices and packages that incorporate one or more solar devices should be improved so that the energy efficiency of such systems can be assessed more accurately. It is also necessary to introduce methods to calculate efficiency of shower water heat recovery devices when incorporated in packages.

(19) To simplify the rating of water-to-water heat pump water heaters, it is appropriate to set a single set of testing conditions. As ground source installations are currently more frequent than ground water installations, ground source test conditions should be retained as standardized baseline for evaluating the performance of these appliances. In addition, ground source conditions that reflect the design conditions (0 °C) should be adapted to represent average operation conditions (5 °C instead of 0 °C).

(20) 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 of the European Parliament and of the Council ([8]) when calculating the water heating energy efficiency values. However, in order to accurately calculate the seasonal water heating efficiency for cogeneration space heaters so as to account for energy losses during electricity generation and transmission 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.

(21) Essential characteristics of water heaters should be measured and calculated using reliable, accurate and reproducible measurement and calculation methods including, if available, harmonised standards adopted by the European standardisation organisations following a request by the Commission in accordance with the

([8]) 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/reg_del/2023/1791/oj).

procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council ([9]).

(22) Currently, harmonised standards for water heater covering all the required regulated parameters have not been established, particularly for water heating energy efficiency and noise levels. Therefore, transitional methods reflecting the generally recognized state-of-the-art should be used in the meantime to ensure that measurements and calculations remain comparable for the purposes of compliance assessment and conformity verification.

(23) Economic operators should prevent practices illegally altering products' performance in order to reach a more favourable result as forbidden by Article 40 paragraphs 1 to 4 of Regulation (EU) 2024/1781 of the European Parliament and of the Council. On the other hand, economic operators should refrain from software and hardware updates worsening performance of products in relation to any of the declared values for the parameters set under the present Regulation without the customer' explicit consent prior to this update, as this is considered beyond the acceptable margins mentioned in Article 40 paragraph 5 of Regulation 2024/1781.

(24) In order to adjust verification tolerances to measuring uncertainties when surveillance authorities verify water heaters and hot water storage tanks compliance, it is necessary to provide for stricter values for tolerances including for intermediate measurement parameters set in Annex V. In order to ensure that information resulting from self-monitoring requirements is reliable, it is also relevant to set verification tolerances for self- monitoring requirements.

(25) In addition to the legally binding requirements set under this Regulation, indicative benchmarks for the best available technologies should be determined to highlight high energy efficient products under this Regulation. These benchmarks should also satisfy the requirements for public procurement laid down in Annex IV of Directive 2023/1791.

(26) To enhance legal certainty and ensure a level playing field when assessing and verifying conformity of water heaters' performance submitted to Regulation (EU) 814/2013, it is relevant that tests are conducted in the "out of the box" mode in the period before its repeal by the present regulation. Consequently, Regulation (EU) 814/2013 should be amended, with effect from the date of entry into force of the present regulation and until its repeal 24 months later.

(27) (27) To provide manufacturers with adequate time to prepare for compliance with the requirements of this Regulation, this act should apply from *dd.mm.yyyy [a date of application 24 months after its date of entry into force – OP – Please insert reference]* which is 24 months following its entry into force.

(28) (28) As an exception to the date of application above mentioned, and in order to give manufacturers extra time to redesign existing products self- monitoring requirements for water heaters with load profiles 3XL and 4XL set in point 1.10 of

([9]) 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/1025/2012/oj).

Annex II to be subject to deferred application and should initially apply to models of heaters first placed on the market or put into service by or after dd.mm.yyyy *[a date 48 months after the entry into force of this Regulation – OP – Please insert reference]*. Subsequently, self-monitoring requirements should become mandatory for any concerned water heater placed on the market or put into service by or after *dd.mm.yyyy [a date 72 months after the entry into force of this Regulation – OP – Please insert reference]*.

(29) Furthermore, in order to allow for appropriate time for technological progress, standing loss requirements for larger hot water storage tanks set in point 2.1 of Annex II to the present Regulation should become progressively stricter two years after the date of application from *dd.mm.yyyy [a date 48 months after the entry into force – OP – Please insert reference]*.

(30) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19(1) of Directive 2009/125/EC,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation sets out ecodesign requirements for the placing on the market or putting into service of:
   (a) instantaneous water heaters with a standard rated heat output not exceeding 400 kW;
   (b) storage water heaters with a storage volume not exceeding 2000 litres;
   (c) cogeneration water heaters with a standard rated electrical power output of less than 50 kW;
   (d) hot water storage tanks with a storage volume not exceeding 2000 litres;
   (e) solar devices;
   (f) shower water heat recovery devices;
   (g) packages that consist of a water heater mentioned under point (a) to (d) combined with at least one solar device and/or a shower water heat recovery device which are integrated by a single manufacturer in order to be placed on the market or put into service as a finished product ('packages').
2. This Regulation shall not apply to:
   (a) water heaters specifically designed for using biogas or bioliquids, unless they are also fit for using gaseous or liquid fossil fuels;
   (b) water heaters using solid fuels;
   (c) water heaters within the scope of Directives 2010/75/EU ([10]) and (EU) 2015/2193 ([11]) of the European Parliament and the Council;

([10]) 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).

(d) water heaters which do not meet at least the load profile with the smallest reference energy as specified in Annex III;

(e) water heaters intended for making hot drinks and/or food only;

(f) cogeneration water heaters with a maximum electrical capacity of 50 kW or above;

(g) hot water storage tanks incorporated into thermosiphon or ICS solar devices.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall:

(1) 'instantaneous water heater' means a water heater which heats sanitary water on demand as it flows through the appliance;

(2) 'water heater' means a product that fulfils the following conditions:

(a) is permanently connected to a domestic distribution system as defined in Article 2, point (2), of Directive (EU) 2020/2184 ([12]);

(b) is equipped with one or more water heater heat generators and

(c) is intended to be used to heat water for domestic purposes such as personal hygiene, washing, cleaning or cooking;

(3) 'heat generator' means the part of a water heater that generates heat using one or more of the following processes:

(a) the combustion of liquid and/or gaseous fuels;

(b) the conversion of electricity into heat, without the use of a thermodynamic cycle;

(c) the capture of ambient, geothermal and/or waste heat using a thermodynamic cycle, driven by combustion of fuels or electric energy;

(d) the electrochemical conversion of chemical energy from a fuel and an oxidising agent into heat and power;

(4) 'standard rated heat output' ($P_{rated,wh}$) means the heat output of the water heater when providing water heating at standard rating conditions, expressed in kW;

(5) 'standard rating conditions' means the operating conditions for establishing the rated heat output, water heating energy efficiency, sound power level and nitrogen oxide emissions, of water heaters and for establishing the standing loss of hot water storage tanks;

(6) 'storage water heater' means a water heater equipped with one or more hot water storage tanks placed on the market as one unit;

([11]) 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).

([12]) Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (OJ L 435, 23.12.2020, p. 1.ELI: http://data.europa.eu/eli/dir/2020/2184/oj).

(7) ‘storage volume’ (V) means the volume of water stored by a storage water heater or in a hot water storage tank for water and/or space heating purposes, or the equivalent volume in case the storage tank contains PCM materials, expressed in litres;

(8) ‘equivalent volume’ (V_{eq}) means a representation of the volume of a hot water storage tank containing PCM material, in litres;

(9) ‘phase change material’ or ‘PCM material’ means a material that undergoes a transition between liquid and solid states at a temperature higher than the cold water inlet temperature and lower than or equal to the maximum water temperature at which the storage tank is allowed to be operated;

(10) ‘hot water storage tank’ means a vessel for storing hot water, including any additives, for water and/or space heating purposes, which is not equipped with any heat generator except possibly one or more back-up immersion heaters;

(11) ‘back-up immersion heater’ means a joule effect electric resistance water heater heat generator in a hot water storage tank which generates heat only when the main external heat source is disrupted (including during maintenance periods, or when solar irradiance is not sufficient to satisfy required comfort levels) or out of order;

(12) ‘cogeneration water heater’ or ‘CHPWH’ means a water heater that simultaneously produces sanitary hot water and electric energy in a single process;

(13) ‘customer’ means a natural or legal person who buys, hires or receives a product for own use whether or not acting for purposes which are outside its trade, business, craft or profession;

(14) solar device’ means the product and package component ~~that~~ consists of one or more solar thermal collectors and possibly one or more solar hot water storage tanks, collector pumps and controls and ~~that is not~~ equipped with a heat generator, other than a back-up immersion heater, and is intended to be used to heat water for domestic purposes such as personal hygiene, washing, cleaning or cooking;

(15) ‘shower water heat recovery device’ means the product and package component where heat from spent shower water directed to sewage is transferred instantaneously to incoming cold water supplying the water heater and/or shower tap;

(16) ‘thermosiphon Integrated Collector Storage (ICS) solar device’ means a solar device designed to allow water circulation via natural convection, in which the solar thermal collectors and the hot water storage tanks are physically integrated components, or have been tested in unison in order to determine the solar device efficiency;

(17) ‘biogas’ means biogas as defined in Article 2, point (28), of Directive (EU) 2018/2001 of the European Parliament and of the Council ([13])

(18) ‘bioliquids’ means bioliquids as defined in Article 2, point (32), of Directive (EU) 2018/2001.

For the purposes of Annexes II to VI, the definitions set out in Annex I shall apply.

([13]) 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).

Article 3

Ecodesign requirements

1. Water heaters shall meet the requirements set out in Section 1 of Annex II.
2. Hot water storage tanks shall meet the requirements set out in Section 2 of Annex II.
3. Compliance with ecodesign requirements shall be measured and calculated in accordance with the requirements set out in Annexes III and IV.

Article 4

Conformity assessment

1. The conformity assessment procedure referred to in Article 8(2) of Directive 2009/125/EC shall be the internal design control set out in Annex IV to that Directive or the management system set out in Annex V to that Directive.
2. For the purposes of conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation shall be as set out in Section 1.8 of Annex II to this Regulation for water heaters and in Section 2.4 of Annex II to this Regulation for hot water storage tanks.

Article 5

Verification procedure for market surveillance purposes

Member States shall apply the verification procedure laid down in Annex V to this Regulation when performing market surveillance activities aimed at ensuring compliance with the requirements set out in Annex II to this Regulation.

Article 6

Indicative benchmarks

Indicative benchmarks to be used as energy efficiency thresholds for public procurement in accordance with Annex IV to Directive (EU) 2023/1791, shall be as set out in Annex VI of this Regulation.

Article 7

Review

The Commission shall review this Regulation to take into account technological progress no later than dd.mm.yyyy *(the date = eight years after the date of entry into force of this Regulation – OP – Please insert reference]* and shall present to the Ecodesign Forum established under Regulation (EU) 2024/1781 the result of that review.

Article 8

Amendments to Commission Regulation (EU) 814/2013

Commission Regulation (EU) 814/2013 is amended as follows:

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

Article 9

Repeal

Commission Regulation (EU) 814/2013 is repealed with effect from dd.mm.yyyy *[the date = 24 months after the date of entry into force of this regulation – OP – Please insert reference]*.

Article 10

Transitional provisions

Until dd.mm.yyyy *[the last day of the 23rd month after the one of the entry into force – OP – Please insert reference]* the maximum standing loss requirement set out in point 2.1(a) table 11 of Annex II to this Regulation, shall apply to hot water storage tanks.

Article 11

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 *[the date = 24 months after the date of entry into force of this regulation – OP – Please insert reference]*. However, Article 8 shall apply from dd.mm.yyyy *[the date = the date of entry into force of this regulation – OP – Please insert reference]*.

2. As an exception from the above:

   (a) maximum standing loss requirements set out in point 2.1(b) table 12 of Annex II to the present Regulation shall apply to models of hot water storage tanks, first placed or put into service by or after dd.mm.yyyy *[a date 48 months after the entry into force – OP – Please insert reference]*;

   (b) self-monitoring requirements for water heaters with load profiles 3XL and 4XL set out in point 1.10 of Annex II to the present regulation and the related information requirements set in point 1.7.2(a)(vii) of Annex II to the present regulation shall apply:

      (i) to models of water heaters whose first unit is placed on the market or put into service by or after dd.mm.yyyy *(a date 48 months after the entry into force – OP – Please insert reference);*

      (ii) subsequently to any water heater placed on the market or put into service by or after dd.mm.yyyy *(a date 72 months after the entry into force – OP – Please insert reference)*.

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