Joint Industry Comments on the Database for Energy Labelling

12 February 2018

The EU Product Database for Energy Labelling needs to meet the objectives stated in Regulation 2017/1369. It has to be set-up so that the burden for suppliers is minimised (Art 12.7a), data security is ensured (Art 12.9), terms and conditions - including the scope - are known in advance, and a fair and level playing field is safeguarded by identifying free-riders (Recital 6). In addition, it has to ensure that it is fit for purpose for all product groups and it takes into account their various characteristics.

The industries concerned by the product groups to be registered in the EPREL Database welcome the opportunity to comment on the documents published by the European Commission on 19 December. The comments below follow on from our joint position paper of November 2017.

1. Introduction and "executive" description of EPREL

The success of this ambitious project will entail both managerial and technical decisions. Thus, from technicians and engineers up to the executive level, communication is a must. While we appreciate the extent of the documentation, especially the disclosure of the Commission's primary database documentation in "unified modelling language," it is also needed to have additional summaries, glossaries and further explanations of technical terms.

We propose to separate (at least) the following key issues and recommend executive summaries for each of them:
- Project Management and Timeline
- Data Transfer and "services" for all key workflows: supplier registration, product registration and product lifecycle management
- Data security and encryption
- Data content model, with clear separation of confidential and public data
- Legal Aspects with respect to liability

Clearly the technical details need to be further elaborated and made readable also to a non-technical audience. Some are proposed in this joint industry paper. Sector specific technicalities, further comments, requests and questions will come directly from the sector associations.

2. Timeline

As we already mentioned in the Joint Industry Paper of November 2017, the deadline for the Database to be operational, while meeting its objectives of security and practicality, is short. We therefore emphasise the need to start as early as possible with pilot operations and functionality tests.

If a full pilot with complete functionalities cannot be developed and shared soon, we propose to break down pilots (or "sandboxes" as we understand COM services call them) in separate essential functionalities. Given the short timeline, they could and should be tested separately and where possible in parallel. The "final" pilot, including all functionalities necessary for full operation, needs to be available by September 2018 at the very latest, to be in time for the first "real" registration foreseen in November 2018. In that case, the pilots of the various functionalities should be available at an earlier stage.

The functionalities are:
Data Transfer from Supplier toward EPREL
The Commission offers 3 different interfaces:
- one is a web browser-based user interface;
- a file transfer (without specifying yet the transmission path);
- a "system-to-system" (S2S) upload.

For S2S, we propose to separate the data transfer from eDelivery (in the Commission Document Assumptions 2.6 this was interlinked). The key issue for this interface is the possibility to upload, in an automated way, the data for larger numbers of model. We propose concretely an XML interface on the current EPREL workspace, where test XML documents can be uploaded, to verify whether the current and future versions of the Exchange format can be met by industry. On the Commission's side, this can be used to verify whether it can securely and correctly insert the "dummy" documents in their database.

Registration process of a supplier
This issue will be interlinked with security, but we propose to start with a registration process without a fixed interlink to eDelivery and AS4.Moreover, suppliers should be able to determine how they organise their presence in the Database, i.e.: who within the supplier structure has the privileges to write, read and modify their data.

Product Lifecycle Management and other "Service functionalities"
This functionality includes:
- Data Transfer of an agreed defined XML Model, once an XML model is agreed that fulfils the legal and practical requirements;
- The registration of (at least) one product;
- The data management (view, edit, change, delete) of registered products.

Secured Data transfer
eDelivery and its protocol AS4 as the proposed security measure is new to industry. Data Security has been one of the key concerns of industry, mainly with respect to confidential data. See below, a possible fallback solution that should be considered.

We ask for explicit milestones until the end of the year that cover the realisation of the above functionalities.

3. Some aspects of the current Data Exchange Model and its "services"

These issues have many sector specific aspects but there are some issues that are common for all sectors:
- It is industry's understanding that, for a given model, changes on any if its data entries are possible after its registration and for the full life cycle (i.e. its availability on the EU market) of that model.
  It would be helpful if the Commission could confirm this?
  We also understand that these changes are logged. How would this logging be visible to the supplier? Currently there is no "service" like that described.
- We would like to reiterate a request that has been expressed at the respective consultation forum: The view access from market surveillance authorities (MSA) needs to be logged too, as this is important to understand possible clarifications or even allegations from an MSA towards suppliers.
- Proper data maintenance of product data entries need to be possible. In other words, it needs to be possible to edit data entries. Edits should be logged in the EPREL system. e.g. if the reference to harmonised standard has changed.
- We understand that suppliers have to enter the label in electronic format _and_ the Database will also generate the label itself based on the data provided. We would ask for this as an alternative as it seems to be a duplication of effort.
- Regarding placing on-market end date, our understanding is that no end date is required at registration point and once a product is no longer placed on the market, manufacturers should update the Database accordingly. It would be helpful if the Commission could confirm this? According to Art 6 of 2017/1369 the supplier needs to ensure that the respective data of a model has to be in the Database for 15 years (or for a different time, if determined in the relevant delegated act (art. 16.3q)). Clearly that prohibits that the supplier erases that data before. However, the supplier cannot be held responsible in case the Database itself has a lost it. It would be helpful if the Commission could confirm this?
- In addition to the file upload of compliance data, alternative upload of parameterised information, similar to the public data, should be possible.

4. Data security

While the joint industry messages on confidentiality and security from November 2017 remain still valid and should be respected in the further development of the Database, we would like to add some more specific comments.

The current data model does not set a clear separation between confidential data and public data which creates a risk that confidential data might be mistakenly available in the public interface. For instance, currently the confidential field "equivalent models" ranges between the same group of fields as contact address. While this may be a mistake that will be corrected, we see value in expanding the data model e.g. by attributes or other means in a way where a clear differentiation is evident.

We understand that the processes of eDelivery and its associated protocol AS4 are in Europe only in pilot stage and AS4 is not used widely. We suggest that some other alternatives are also compared and investigated meeting necessary security and stability and needed resources.

5. Legal Aspects

Regulation 2017/1369 draws up responsibilities both on industry, as the data owner, as well as on the EU Commission as the Database owner. Clearly there is an overlap, particularly when it comes to data integrity. We therefore invite the Commission to draw up its liabilities with respect to the Database, ideally in the form of draft terms and conditions.

6. Conclusion

Industry would appreciate if these considerations are taken into account and if the respective open issues are clarified soon. All sectors are committed to work together with the Commission to have EPREL working with the necessary practicality and security level by the end of 2018. We would like to emphasise that close collaboration and open information exchange is a necessary precondition for to meet this objective.

About the Signatories

About CECED: CECED represents the home appliance industry in Europe. Direct Members are Arçelik, Ariston Thermo Group, BSH Hausgeräte GmbH, Candy Group, Daikin Europe, De'Longhi, Dyson, AB Electrolux, Gorenje, Groupe Atlantic, LG Electronics Europe, Liebherr Hausgeräte, Miele & Cie. KG, Panasonic, Philips, Samsung, Groupe SEB, Vestel, Vorwerk and Whirlpool Europe. CECED's member Associations cover the following countries: Austria, Baltics, Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Greece, Hungary, Italy, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, Turkey and the United Kingdom. www.ceced.eu

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About EHI: EHI, the Association of the European Heating Industry, represents 90% of the European market for heat and hot water generation, heating controls and heat emitters, as well as 75% of the hydronic heat pump market. Our Members produce advanced technologies for heating in buildings, including: heating systems, burners, boilers, heat pumps, components and system integrators, radiators, surface heating & cooling and renewable energy systems. In doing so, we employ directly more than 120.000 people in Europe and invest more than half a billion euro a year in energy efficiency.www.ehi.eu

About EPEE: The European Partnership for Energy and the Environment (EPEE) represents the refrigeration, air-conditioning and heat pump industry in Europe. Founded in the year 2000, EPEE's membership is composed of 40 member companies, national and international associations.
EPEE member companies realize a turnover of over 30 billion Euros, employ more than 200,000 people in Europe and also create indirect employment through a vast network of small and medium-sized enterprises such as contractors who install, service and maintain equipment.

EPEE member companies have manufacturing sites and research and development facilities across the EU, which innovate for the global market. As an expert association, EPEE is supporting safe, environmentally and economically viable technologies with the objective of promoting a better understanding of the sector in the EU and contributing to the development of effective European policies. www.epeeglobal.org

About EUnited Cleaning: The Association of European cleaning machines manufacturers - EUnited Cleaning - represents the leading producers of floor cleaning machines and high-pressure cleaners for commercial and industrial use. The association of European cleaning machines manufacturers - EUnited Cleaning - represents the leading producers of floor cleaning machines and high-pressure cleaners for commercial and industrial use. Members are: Columbus, Comac, Diversey, Electrostar, FIMAP, Ghibli, Hako, Kärcher, Nilfisk, Numatic, RCM, RUWAC, Schwamborn, Starmix, Stihl, Stolzenberg, Tennant, Truvox, TTS Cleantech, Wetrok. www.eu-nited.net

About EVIA: The European Ventilation Industry Association (EVIA) was established in Brussels in July 2010. EVIA's mission is to represent the views and interests of the ventilation industry and serve as a platform between all the relevant European stakeholders involved in the ventilation sector, such as decision- makers at the EU level as well as our partners in EU Member States. Our membership is composed of more than 35 member companies and 6 national associations across Europe, realising an annual turnover of over 7 billion euros and employing more than 45,000 people in Europe. www.evia.eu

About LightingEurope: LightingEurope is the industry association that represents the lighting industry in Europe. We are the voice of more than 1,000 lighting companies that employ more than 100,000 Europeans and create an annual European turnover of over € 20 billion. Our daily mission is to advocate and defend the lighting industry in Brussels, while reconciling it with ongoing EU policy aims. In doing so, we are dedicated to promoting efficient lighting practices for the benefit of the global environment, human comfort, and the health and safety of consumers. www.lightingeurope.org