



Mr. Husarik
Permanent Representation of the Slovak Republic
to the European Union
Avenue de Cortenbergh 107,
1000 Brussels

Brussels, 29 September 2016
Prot. N°295/MU

Dear Mr. Husarik,

We are contacting you from the associations EuroCommerce, Independent Retail Europe, and UEAPME because of the current trilogue negotiations on the revision of the energy efficiency labelling, which are of great importance for companies in Europe that trade goods falling under this legislation.

We are supportive of the EU energy efficiency label as a useful tool to inform consumers about the energy efficiency of products.

To enhance the regulation's effective and workable implementation, we have a specific concern we would like to raise with you, namely the time period dealers have to replace existing labels with rescaled labels stated in Article 3 paragraph 2 (aa). As established and confirmed by the Court of Justice of the European Union's in its judgement *Udo Rätzke v S+K Handels GmbH* (C-319/13), the obligation to add a new label to a rescaled product creates a disproportionate administrative burden for suppliers and dealers, in particular for SMEs.

In addition to raising a number of concerns about re-labelling obligations, our associations have always argued for a time period giving retailers sufficient time to adapt their internal processes to comply with the already burdensome relabelling obligation. Any time lapse shorter than the 3 weeks' period the plenary of the European Parliament agreed upon would be impossible for businesses. Dealers with a broad product range or with few employees need sufficient time to replace labels.

In the interest of companies in Europe, and to ensure proper implementation, we would like to kindly ask you to take this major challenge for companies into account during the upcoming negotiations, so that the revision of the energy efficiency labelling will effectively drive innovation, stimulate consumer demand and boost competitiveness throughout Europe, also for smaller market operators.

Thank you in advance for considering our input.
Yours sincerely,

A handwritten signature in blue ink, appearing to read "E. Groen".

Else Groen
Director General
Independent Retail Europe

A handwritten signature in blue ink, appearing to read "P. Faross".

Peter Faross
Secretary General
UEAPME

A handwritten signature in green ink, appearing to read "C. Verschueren".

Christian Verschueren
Director General
Eurocommerce