Independent Retail Europe

UEAPME

EuroCommerce
THE RETAIL, WHOLESALE AND INTERNATIONAL TRADE REPRESENTATION TO THE EU

Commissioner Elżbieta Bieńkowska
European Commission
Rue de la Loi 200
1049 Brussels

Brussels, 8 July 2015

SUBJECT: Planned Review Energy Labelling Directive

Dear Commissioner Bieńkowska,

We are contacting you from the associations Independent Retail Europe, UEAPME and EuroCommerce. Many of our member organisations are, or represent, companies trading in goods that fall under the Energy Labelling and Ecodesign Directives and related legislation.

We support the EU Energy Label but we are concerned about the planned review of the Energy Framework Directive (2010/30). This is because of the potential burdens this could create for the many SMEs we represent. **We believe that any issues with the Energy Framework Directive can be resolved by revising its delegated acts; rather than changing the Framework Directive itself.**

One example of a potential burden is the possible requirement for retailers and producers to re-label products they already have in stores. As established by the Court of Justice in the European Union's judgement *Udo Rätzke v S+K Handels GmbH* (C-319/13), **the obligation to add a new label would create a disproportionate administrative burden for suppliers and dealers, in particular for SMEs.**

However, such issues are easily solved by altering the delegated acts themselves and do not require a full review of an otherwise well-functioning and legally certain piece of legislation. We have always been an **advocate of the Juncker Commission's focus on Better Regulation, as well as the "think small first principle".** These principles should be applied in the current situation – **a review of the Framework Directive would not increase jobs or growth.**

We therefore call on the Commission to refrain from a review of the Energy Framework Directive and focus instead on immediately reviewing the applicable delegated acts.

Yours Sincerely,

Else Groen
Director General
Independent Retail Europe

Peter Faross
Secretary General
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Christian Verschueren
Director General
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