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Extraordinary measures in extraordinary circumstances

Dear President von der Leyen,

APPLiA represents home appliance manufacturers in Europe.

The outbreak of COVID-19 has created an unprecedented situation for the EU society and for the whole economy. The health response to this unprecedented situation is indisputably a priority for us all.

Our sector - manufacturing appliances that are an essential part of life, enabling citizens to store and prepare food, feel warm, wash dishes and clothes to ensure hygiene - has witnessed a dramatic reduction in demand and almost a complete shutdown of activities, including manufacturing, supply, after sales services, logistics, laboratories and research in innovation. The consequences are not yet fully identifiable, nor quantifiable.

The implementation of the State Aid Temporary Framework and the Commission proposal for a Coronavirus Response Investment Initiative to address the consequences of the crisis are very much appreciated. We also acknowledge both the EIB mobilising resources and the many support packages Member States are developing with the ECB. Our companies will individually evaluate whether and when such measures can be implemented.

However, several logistical and practical constraints on our sector cannot be overturned by financial support and stimulus. We are currently in a situation where our operations have been shut down by the authorities in most EU Member States. Even if we could perform operations safely, such as R&D, laboratory testing of newly developed appliances, logistics and warehousing, we are currently not allowed to do so.

To preserve the continuation and the future of the home appliance industry in Europe, key legal requirements need to be alleviated now. We are fully committed to the Union decarbonisation goals and **we are not asking for legislation to be recalled**. We are requesting that the weight of some upcoming legal obligations is alleviated to instead allow us to concentrate on overcoming this unprecedented societal challenge. **Concretely, we call on the European Commission to:**

- **delay by four months** the 1 November 2020 date set in the current Energy Labelling delegated Regulations to 1 March 2021 to enable placing on the market products bearing only the current label until 28 February 2021; **delay by four months** the 1 March 2021 date in the current Energy Labelling Regulations to 1 July 2021 to postpone the mandatory provision of the new energy label. **However**, manufacturers should be able to place products on the market bearing only the new label as of 1 March 2021, as originally required, and point of sales (online and offline) must display the new label starting from 1 March 2021 as soon as the new label is available with the product.



- **delay by two years the application date of the second tier of Ecodesign requirements from 2024 to 2026.** These targets require massive industrial investments, which companies simply cannot achieve due to the current situation;
- **delay the current 65% WEEE collection target for a two-year period.** These targets would be impossible to reach in today's context;
- **delay the 5 January 2021 deadline to deliver extensive chemical data for parts of appliances into the SCIP database developed by ECHA by one year.** Required testing is on hold due to laboratory closures. In addition, the requested data and evidence cannot be properly collected due to the many affected partners involved in the supply chain of materials;
- **delay the implementation of the EU-MDR ANNEX XVI Common Specifications** foreseen for 26 May 2020. Clinical testing, which is critical for this law, is delayed as people cannot be currently recruited due to the high contamination risk;
- **allow one more year for the transposition of both the Digital Content and the Sale of Goods Directives** into national legal frameworks. We understand that some Member States are already putting this process on hold;
- **allow one more year for the transposition of the Waste Directive (EU) 2018/851** into national legal frameworks;
- **delay for 6 months the preparation of the delegated acts** on "privacy and fraud" and on "reconfigurable radio systems" **under the Radio Equipment Directive;**
- define a **longer transition period for the definition of cybersecurity schemes** and their introduction **under the Cybersecurity Act.**

The timing of regulatory measures currently under review would equally have to be adjusted. Physical meetings cannot take place and are being replaced with conference calls, making the decision-making processes extremely challenging. In spite of good intentions and considering the impact these important measures will have on our businesses, **we ask that the discussions and the related decisions are postponed until physical meetings can be resumed.**

Another obvious source of concern relates to the aftermath of this crisis. APPLiA members take pride in sustaining a vibrant industry in Europe thanks to a strong manufacturing base, local technological know-how and substantial investments in research & development in all EU Member States.

The road to recovery ahead will be long. It is impossible to make any predictions about the recovery process at this stage. However, we are fully available to analyse and work with the European Commission on this. Due attention and priority should be given to restore both moral and economic confidence.

I look forward to your swift response to this letter. We remain at your disposal to discuss the practicalities of our requests with our experts and your services and tackle together these extraordinary challenges.

Dr. Peter Götz
APPLiA President

APPLiA represents home appliance manufacturers from across Europe. By promoting innovative, sustainable policies and solutions for EU homes, APPLiA has helped build the sector into an economic powerhouse, with an annual turnover of EUR 50 billion, investing over EUR 1.4 billion in R&D activities and creating nearly 1 million jobs.

