

Manual of European Environmental Policy

The following pages are a section from the Manual of European Environmental Policy written by the Institute for European Environmental Policy.

The Manual was published by Earthscan/Routledge from 2010 to 2012. It was designed as an on-line interactive reference work and annual printed versions were also produced.

This section is the text of the Manual as published in 2012. It is therefore important to note the following:

- The contents have not been updated since 2012 and no guarantee is given of the accuracy of the contents given potential subsequent developments.
- The sections include links to external websites (e.g. to legal texts). These links continue to work as long as those links are not broken by those websites.
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Household appliances

Formal reference	
86/594/EEC (OJ L 344 6.12.86) Proposed 12.1.82 – COM(81)811(OJ C 1982/181/1) and 23.11.83 – COM(83)694	Directive on airborne noise emitted by household appliances.
Legal base	Article 115 TFEU (originally Article Article 100 EEC Treaty)
Binding dates Formal compliance	4 December 1989

Purpose of the Directive

The principal purpose of Directive 86/594/EEC is to ensure the operation of the single market by preventing barriers to trade being erected through the adoption of common noise measurement standards across the Community. It also helps the public to be made aware in a uniform way of the noise levels of household appliances and stimulate manufacturers to produce appliances with lower noise levels.

Summary of the Directive

Directive 86/594/EEC requires informative labelling, if used, to be based on prescribed methods of noise measurement. It thus ensures that no barriers to trade within the Community are created by individual Member States requiring different measurement techniques. The Directive does not itself lay down noise limits. It covers principles on the publication of information on noise from household appliances, the measurement methods and the monitoring arrangements for such noise. It does not apply to machines designed exclusively for industrial or professional purposes or those which form an integral part of buildings.

It is for Member States to decide whether information on noise outputs of appliances should be published. If this course is followed, the level of noise must be determined by the testing methods laid down in the Directive and may be subject to spot checks. The manufacturer or importer is responsible for the accuracy of the information. Where information on labels is already required, for example under Directive [92/75/EEC](#) that provides for the energy consumption of household appliances to be published, the information on noise should be given on the same label.

Member States may not prevent in any way the marketing of goods which meet the requirements of the Directive. Member States, in setting national standards for measurement, are expected to use harmonized standards, references to which have been published in the *Official Journal*, except where no such standards exist and national standards and technical regulations are used instead. Details in all cases are to be sent to the Commission which will send them to other Member States.

Member States are required to publish their standards which the Commission will ensure are also published in the *Official Journal*. The harmonized standards are those established by the Comité Européen de Normalisation (CEN) and the Comité Européen de Normalisation Électrotechnique (CENELEC) recognized as the competent bodies in this field in accordance with [Directive 83/189/EEC \(OJ L108 26.4.83\)](#) as amended by [98/34/EEC \(OJ L204 21.7.98\)](#) laying down a procedure for the provision of information for technical standards and regulations.

Provision is made for referring any differences of opinion on the harmonized standards to the Committee set up for this purpose under Directive 83/189/EEC. National standards proposed shall also be considered by this Committee which is empowered to take a Decision by majority voting. The Commission will adopt the Decision. Where no Decision is made, the Commission has to submit a proposal to the Council and if no Decision is taken by it within three months the Commission will adopt the measure itself.

Development of the Directive

The original proposal had two objectives, to form part of the action programme on the environment, and to remove barriers to trade formed by differing noise legislation being formulated by France, Germany and the Netherlands. The proposal took the form of a framework Directive which would enable a standardized system of noise measurement indicated on a label to be introduced; the system would be optional but other labelling systems would be forbidden.

Trade and consumer organizations consulted were generally against the proposal as they saw little or no benefit and some expense. In the United Kingdom, for example, the House of Lords¹ reported that no adequate case for noise labelling had been made and considered that it would be preferable to deal with the provision of information to the consumer by means of labelling or other means in a more comprehensive method which also covered performance, although the United Kingdom supported the need to prevent the emergence of barriers to trade.

The proposal was amended as a result of the Opinion of the European Parliament by removing the clause by which Member States which found that the noise level was higher than the level claimed could request that the marketing of the appliance be suspended pending the issue of accurate information by the manufacturer or importer. The detailed description of the method of determining noise was replaced by a reference to methods defined in a publication of the International Electrotechnical Commission which had been widely approved internationally. The latter was thought to remove the need for Member States to make checks on the accuracy of the information given.

The main changes in the final version as adopted were to exclude appliances designed for industrial and professional purposes. The replacement of the original Annexes by a reference to international standards established by CEN and CENELEC meant a very much smaller and simpler Directive. At the same time, a separate committee on technical adaptation was found to be unnecessary.

Noise of household appliances does not appear to have been a matter of great concern to consumers but the introduction of a common system of labelling in the Community would have

some effect on informing opinion as well as avoiding the creation of barriers to trade. Directive [92/75/EEC](#) on energy labelling of household appliances places a requirement on Member States to ensure that all relevant household appliances are affixed with labels containing information on energy consumption rates. The Directive also stipulates that the same labels should provide information on noise emissions, for relevant appliances, in accordance with Directive 86/594/EEC. Directive [2005/32/EC](#) establishing a framework for the setting of ecodesign requirements for energy-using products is also involved as it can potentially concern household appliances.

Implementation

All Member States have transposed Directive 86/594/EEC within the prescribed time limit. Information on Member States transposition status can be found in the national [execution measures](#).

No implementation report on this Directive has been published.

Enforcement and court cases

The European Court of Justice has made one judgement with respect to Directive 86/594/EEC. [C-30/01](#) This case was brought by the Commission against the United Kingdom for failure to implement in Gibraltar Directives based on Articles 94 EC or 95 EC of the Treaty, of which Directive 86/594/EEC is one. The United Kingdom argued that those Articles, dealing with the suppression of barriers to trade between the Member States did not apply to Gibraltar, which is outside of the single market. The Court in 2003 ruled in favour of the United Kingdom and, therefore, Directive 86/594/EEC does apply to Gibraltar.

Related legislation

The following Directive has a strong interaction with Directive 86/594/EEC:

- Directive [92/75/EEC](#) on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances.