

**Review study on Commission
Regulation (EC) no 327/2011
First Interim Report
EVIA Comments
24 September 2014**



Dear Mr. van Elburg, Dear Mr. van den Boorn, Dear Mr. Kemna, Dear Mr. Gonzalez,

EVIA would like to thank you for giving the opportunity of commenting on the first interim report prepared and published by VHK in July 2014.

Following the meeting of its Fan WG on 22 September 2014 and in view of the 1st Stakeholder meeting on 1 October 2014, EVIA would like to provide comments on the first interim report. Please note that these comments are following the structure of the report.

EVIA's key points are:

1. **Fans incorporated into products** - fans incorporated into products must be retained.
2. **Market Surveillance** – It should be enforced across all Member States.
3. **The Impeller** - an impeller is not a fan. It is a component of a fan and therefore should not be in the Regulation.
4. **Replacement fans** - EVIA sees it as a bigger problem that has to be solved before the 1st January 2015 and that of course will influence the decision in the review.
5. **Box and Roof Fans** – Roof and box fans should be within the future Regulation.
6. **The measurement and calculation method** - our proposal is to simplify by only having direct measurement and therefore removing not-final assembly. EVIA disagrees in reducing the number of categories.

You will find below our main comments and recommendations on which we would like to raise your attention and we hope that these will be of constructive support for the finalisation of the draft preparatory study.

Should you have any questions, do not hesitate to contact us.

Kind Regards,

Stefan Wiesendanger
EVIA Chairman

Geoff Lockwood
EVIA Fan Working Group Chair

Claus Händel
EVIA Technical Secretary

EVIA

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DETAILED COMMENTS ON THE FIRST INTERIM REPORT

1.1 Subject matter & scope

EVIA does not believe segregating the subject matter and scope would not make sense. EVIA thinks it would add confusion.

1.1.1 Fans incorporated into products

EVIA does not wish to see any change. EVIA thinks a change would add loopholes to avoid compliance.

1.1.2 Box and roof fans

We believe roof and box fans should be within the scope of the revised Fan Regulation. This is of course subject to agreements of definitions and limits.

1.2.1 Impellers for cooling electric motors

EVIA agrees removing this exemption.

1.2.2 Fans of <3kW for clothes driers

EVIA has no particular view.

1.2.3. Kitchen hood fans < 280 W

EVIA agrees removing this exemption.

1.3.1 ATEX fans

EVIA agrees removing this exemption if sensible practical limits are set that considers the necessary design safety aspect that impact efficiency and is consistent with the EC Motor Regulation.

1.3.2 Fans for emergency use only

EVIA agrees removing this exemption if sensible practical limits are set that considers the necessary design safety aspect that impact efficiency and is consistent with the EC Motor Regulation

1.3.3 Fans for extreme temperatures

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EVIA does not see this as a potential loophole as products designed for high or low temperature are typically more expensive. In answer to the question about third party verification, EVIA does not see that third party verification solves any problems within EC Regulation 327/2011.

1.3.4.1 LVD

EVIA disagrees with the consultant's view. EVIA wishes the scope of the Regulation in this respect to be retained.

1.3.4.2 Motor Regulation

If this is related to the issue of the motor default level in the not-final assembly calculation, then EVIA's position is that the default level should align with the limits IEC 60034-31.

1.3.4.3 Battery-driven fans

EVIA has no view, the Regulation is not clear.

1.3.4 Concluding remarks

EVIA is unclear on the concluding remarks with reference to EC Regulation 640. EVIA would like to ask further explanation to the consultant.

1.3.5 Fans for toxic, highly corrosive, abrasive environments

EVIA agrees that the exclusion should be maintained. EVIA notes that a lack of a clear definition for such fans provides a loophole. EVIA therefore strongly recommends the consultant provides a clear definition.

1.3.6 Replacement fans

EVIA agrees with the consultant's conclusion but with a preference for 10 years.

2.1 Definitions

EVIA agrees with the concluding remarks.

2.2 Backward inclined, curved, aerofoil

EVIA has no comments.

3.2 Exemptions from Tier 1

EVIA has no further comments.

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3.4 Exemptions

3.4.1, 3.4.2

EVIA has no further comments.

3.4.3

EVIA has no further comments.

3.5.1 Definition of dual use

EVIA agrees with the consultant's clarification as an addition to the existing text in EC Regulation 327/2011.

3.5 Concluding remarks

EVIA agrees with the concluding remarks.

3.6 Jet fans

It is understood by all parties that the situation with jet fans is not clear. Until there is a clear definition and an explanation how they can be regulated within the scope of EC Regulation 327/2011, EVIA has difficulty commenting.

4. Market Surveillance

EVIA agrees with the concluding remarks.

8.2.1 Fan efficiency requirements - Levels

EVIA agrees that there is a particular problem with small fans (125 W – 1kW) and agrees that there is a problem with dual use fans as of 2015.

EVIA understands that there is a desire to reduce the number of fan types and slopes but the above shows that the opposite is true and that there is a need to have other slopes to recognise the problems with small fans. EVIA sees an opportunity to increase levels on larger fans but with the current slopes an increase will cause bigger problems with smaller fans.

EVIA sees an opportunity to simplify by having the same set of curves and the same efficiency grade for backward curved, centrifugal with and without scroll and use the same set of curves and have a different level for mixed flow.

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EVIA sees that one set of curves can be used for axial fans and forward curved fans with different levels for both to reflect their aerodynamic characteristics.

Therefore, EVIA sees an opportunity to simplify to two sets of curves.

9. Regulation, Annex II measurements and calculations

EVIA's view is that direct measurement is retained, not-final assembly is removed and EVIA does not agree with PBER in this Regulation as this Regulation is not a dependant application regulation.

EVIA proposes not-final assembly to be removed on the understanding that an impeller is not a fan. An impeller is a component of a fan in this instance. The definition of a fan should include words that say "a fan is at least an impeller and a motor".

10. Regulation, Annex III verification procedure for market surveillance purposes

EVIA proposes that the text in the Ventilation Regulations (residential and non-residential units) regarding use of tolerances by surveillance authorities should be included in the future revision.

The verification tolerances shall not be used by the manufacturer or importer in establishing the values in the technical documentation or in interpreting these values with a view to achieving compliance.

About EVIA

The European Ventilation Industry Association (EVIA) was established in July 2010 in order to represents the ventilation and fan industry both in Brussels with the EU institutions and relevant stakeholders and in the national capitals with our partners. Our membership is composed of 36 member companies and 5 national associations across Europe realising an annual turnover of over 7 Billion Euros and employing more than 45,000 people in Europe.

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