

# Energy Labelling and MEPS program Regulatory Ruling

**Ruling Number:** 039                      **Revision** A    **Revision Date**                      **15th June 2011**

This ruling has been prepared on behalf of all regulators for energy labelling and MEPS for electrical appliances in Australia and New Zealand. This ruling represents an agreed interpretation of the relevant regulations. This interpretation shall be recognised in all Australian and New Zealand jurisdictions.

**Product Type:** Household refrigerating appliances  
**Relevant Standard** AS/NZS 4474.2:2009  
**Relevant Clause/s** 1.1 & 1.2: Scope and exemptions  
**Initial Date of Draft Ruling:** 15th June 2011  
**Date of Standard Amendment** TBA

	NSW	QLD	SA	VIC	NZ
	Department of Trade and Investment, Regional Infrastructure and Services	Department of Justice and Attorney-General	Department for Transport, Energy and Infrastructure	Energy Safe Victoria	Energy Efficiency and Conservation Authority
<b>Date Accepted</b>	16.06.11	16.06.11	16.06.11	22.06.11	16.06.11

## Subject:

Clarification of *refrigerating appliances* claimed to be *Cooled appliances* that are required to be registered for energy labelling and MEPS for refrigerators.

## Background:

Some *refrigerating appliances* may be able to operate their storage compartments (as defined in Clause 1.3.12 of AS/NZS 4474.1:2007) within one or more of the temperature ranges set out in the requirements for operating temperature performance in Clause 3.6 of AS/NZS 4474.1:2007.

Clause 3.6 sets temperature limits for various compartments and sets a temperature limit of  $\leq 6^{\circ}\text{C}$  for fresh food.

e.g. (from table 3.2 of clause 3.6 of AS/NZS 4474.1:2007)

Compartment type	Allowable range of average compartment air temperature
Fresh food	0.5 °C to 6 °C

AS/NZS 4474.2:2009 section 1.1 Scope, **applies to all refrigerating appliances** other than separate bespoke stand-alone *wine storage cabinets* (which have cellar compartments that are warmer than fresh food space compartments) and clause 1.9 of that standard further indicates “*any cabinet which has other standard compartments in addition to a wine storage compartment is included within the scope of this Standard*”. There are no exclusions in clause 1.2 of AS/NZS 4474.2:2009 based on temperatures of the storage compartment(s) so any *refrigerating appliance*, other than a stand-alone

wine storage cabinet, even if claimed to be a **cooling appliance** must be registered for energy labelling and MEPS.

However, some appliances claimed to be **cooling appliances** have all their compartments only able to be operated at temperature ranges that are warmer than those designated suitable for the “*safe storage of foodstuffs*” (i.e. they cannot achieve temperatures for fresh food space of less than 6°C). If no compartment can be operated at less than 6°C then the appliance is not required to be registered for energy labelling and MEPS.

For example, appliances which are not considered to be required to be registered for energy labelling and MEPS are those that are:

- NOT intended for the *safe storage of food, ingredients, beverages and/or other items primarily intended for consumption, which require refrigeration at specified temperature conditions*; and
- The operating characteristics of such appliances prevent any storage compartments from obtaining temperatures of less than 6°C.

Some appliances which may try to claim to be **cooling appliances** have storage compartments able to be operated at 6 °C or lower. These are considered suitable for the storage of food (i.e. the compartment is within the range of fresh food space or colder) and are therefore included in the scope of the energy performance standard and thus are required to be registered for energy labelling and MEPS.

For example, a product which is sold as a “drinks fridge” only but is able to “*Cool to 1 degree C*” would fall within the scope of appliances required to be registered for energy labelling and MEPS.

## **Ruling:**

- An appliance that has the capability to cool any storage compartment(s) to an operating temperature of less than 6°C, and is included in the scope of the standard, is a **refrigerating appliance** required to meet AS/NZS 4474.2:2009 and is required to be registered for energy labelling and MEPS.
- A **cooling appliance** that does not have the capability to cool any storage compartment(s) to an operating temperature of less than 6°C is not a **refrigerating appliance** required to be registered for energy labelling and MEPS (however, suppliers can elect to test and label and register such products in accordance with AS/NZS 4474.2:2009 if they wish).

### *ADVISORY NOTE for additional information:*

*Energy Efficiency Regulatory authorities understand that Fair Trading and Trades Practices legislation in Australia and New Zealand would prevent products that do not meet the classification of a refrigerating appliance suitable for storage of fresh food (i.e. do not have compartments able to operate at less than 6°C) being marketed or sold in any way such that the consumer is led to believe that the product is suitable for use as a refrigerator. Energy Efficiency Regulators will pass on details to appropriate authorities if such False and misleading claims are found.*

## Proposed revisions to the Standard

Nil.