

ErP: Ecodesign Directive (Directive 2009/125/EC), explained

The Ecodesign Directive is the framework for implementing regulations that set mandatory ecodesign requirements energy-related products must meet before manufacturers, authorised representatives or importers place them on the EU market. It has applied since 20 November 2010; Regulation (EU) 2024/1781 repealed it with effect from 18 July 2024, but its implementing regulations still apply.

Reviewed 24 September 2026 by Conphora compliance team · Next review 12 March 2027 · Not legal advice

Key facts

Reference	Directive 2009/125/EC	Act type	Directive
In force	20 November 2009	Applies from	20 November 2010
Amended by	Directive 2012/27/EU, Regulation (EU) 2024/1781	Enforced by	National market surveillance authorities designated under Article 3(2) enforce the national laws transposing the directive and the implementing regulations with the powers of Regulation (EU) 2019/1020, in whose Annex I the directive is listed, and which in Article 4(5) also lists the directive, so since 16 July 2021 a manufacturer, importer, authorised representative or fulfilment service provider established in the Union must be identifiable as the responsible economic operator, and since 18 July 2024 the market surveillance and safeguard articles of the ESPR also apply to products covered by the implementing regulations; in Denmark, Sikkerhedsstyrelsen, since January 2026 the Markedsovervågning department of Erhvervsstyrelsen, has carried out ecodesign market surveillance for Energistyrelsen since 1 August 2018 under the act on ecodesign of energy-related products (ecodesignloven), the legal chain being section 10(1) of that act, under which the minister for industry, business and financial affairs or a body it empowers carries out the control, after the royal decree of 22 June 2018 moved responsibility for ecodesign market surveillance from the climate and energy minister to the minister for industry (executive order nr. 861 of 24 June 2018 on the distribution of business between ministers), while lov nr. 431 of 6 May 2025 names Sikkerhedsstyrelsen directly in the new section 14(2) of ecodesignloven, and Energistyrelsen keeps responsibility for the rules, and for the ESPR

under the ecodesignproduktloven in
force since 1 July 2025.

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Key dates

21 October 2009	Directive 2009/125/EC adopted by the European Parliament and the Council, recasting Directive 2005/32/EC on energy-using products to cover all energy-related products	title, Art. 24 and Annex IX
20 November 2009	Entry into force, the twentieth day after publication in OJ L 285 of 31 October 2009	Art. 25
20 November 2010	Deadline for Member States to transpose Articles 1 to 9, 11, 14, 15 and 20 and Annexes I to V, VII and VIII and to notify their penalty rules to the Commission	Art. 20 and Art. 23(1)
21 October 2011	Deadline for the Commission's first ecodesign working plan listing priority product groups for the following three years	Art. 16(1)
4 December 2012	Directive 2012/27/EU on energy efficiency in force: Article 6(1) now states that free movement is without prejudice to national energy performance and system requirements for buildings under Directive 2010/31/EU	Art. 27(3) and Art. 29; Art. 6(1) (M1)
26 September 2015	First efficiency tier for space heaters, combination heaters, water heaters and hot water storage tanks under Regulations (EU) No 813/2013 and No 814/2013	Art. 1 and Art. 3; Art. 1 and Art. 3

1 January 2016	Ecodesign and information requirements for residential and non-residential ventilation units apply under Regulation (EU) No 1253/2014	Art. 1, Art. 3 and Art. 4
1 March 2020	Ecodesign requirements for servers and online data storage products apply under Regulation (EU) 2019/424	Art. 1 and Art. 3
1 April 2020	Regulation (EU) 2019/1782 on external power supplies applies and repeals Regulation (EC) No 278/2009	Art. 1, Art. 9 and Art. 10
1 January 2021	Regulation (EU) 2019/1784 on welding equipment applies	Art. 1 and Art. 11
1 March 2021	The 2019 ecodesign package applies: refrigerating appliances (2019/2019), electronic displays (2019/2021), household dishwashers (2019/2022), household washing machines and washer-dryers (2019/2023) and refrigerating appliances with a direct sales function (2019/2024), with repairability and spare-parts duties	Art. 1 and Art. 12; Art. 1 and Art. 12; Art. 1 and Art. 13; Art. 1 and Art. 13; Art. 1
1 July 2021	Regulation (EU) 2019/1781 on electric motors and variable speed drives applies and repeals Regulation (EC) No 640/2009	Art. 1, Art. 10 and Art. 11
16 July 2021	Regulation (EU) 2019/1020 on market	Art. 39(1), point (4), Art. 44 and Annex I, point 32

surveillance applies;
Directive 2009/125/EC
is listed in its Annex I
(point 32) and Articles
15 to 29 of Regulation
(EC) No 765/2008 are
deleted, and Article 4
of Regulation (EU)
2019/1020 starts to
apply to the directive's
products, so an
ecodesign product may
be placed on the
market only if an
economic operator
established in the
Union is responsible
for the tasks of Article
4(3)

1 September 2021	Regulation (EU) 2019/2020 on light sources and separate control gears applies and repeals Regulations (EC) No 244/2009, (EC) No 245/2009 and (EU) No 1194/2012	Art. 1, Art. 11 and Art. 12
18 July 2024	Regulation (EU) 2024/1781 (ESPR) in force: Directive 2009/125/EC repealed with effect from this date, except the articles and annexes that continue to apply to products covered by its implementing measures until those are repealed or declared obsolete; references to the directive are read as references to the ESPR	Art. 79(1), Art. 79(3) and Art. 80
16 April 2025	First ESPR and energy labelling working plan 2025-2030 adopted by the Commission (deadline 19 April 2025), prioritising	sections 2.1 and 2.2; Art. 18(5)

textiles and apparel,
furniture, mattresses,
tyres, iron and steel,
aluminium and the
energy-related
products carried over
from the 2022-2024
plan

9 May 2025

Regulation (EU)
2023/826 on off mode,
standby and
networked standby of
household and office
equipment applies;
Regulations (EC) No
1275/2008 and (EC)
No 107/2009 repealed

Art. 1, Art. 10 and Art. 11

20 June 2025

Regulation (EU)
2023/1670 on
smartphones, mobile
phones, cordless
phones and slate
tablets applies, as
corrected and
amended by
Regulation (EU)
2025/2006 with the
same application date

Art. 1 and Art. 12; Art. 2

1 July 2025

Regulation (EU)
2023/2533 on
household tumble
dryers and Regulation
(EU) 2024/1103 on
local space heaters
apply; in Denmark the
ecodesignproduktloven
supplementing the
ESPR enters into force

Art. 1 and Art. 12; Art. 1 and Art. 12; § 22

19 July 2025

Earliest date on which
the first ESPR
delegated act setting
ecodesign
requirements may
enter into force;
deadline for the first
delegated act on
derogations from the
destruction ban and for
the implementing act
on disclosure of

Art. 4(7), Art. 24(3) and Art. 25(5)

discarded unsold
products

1 January 2026	Sikkerhedsstyrelsen becomes the Markedsovervågning department of Erhvervsstyrelsen with the same tasks, including ecodesign market surveillance	
19 July 2026	ESPR destruction ban applies: large and medium-sized enterprises (medium-sized only from 19 July 2030) may no longer destroy unsold apparel, clothing accessories and footwear listed in Annex VII, subject to the derogations of Delegated Regulation (EU) 2026/296; deadline for the Commission's digital product passport registry	Art. 13(1), Art. 25(1) and Annex VII; Art. 2 and Art. 6
24 July 2026	Regulation (EU) 2024/1834 on fans between 125 W and 500 kW applies, as amended by Regulation (EU) 2025/2481; Regulation (EU) No 327/2011 repealed with transitional application to integrated and spare-part fans	Art. 1, Art. 11 and Art. 12; Art. 1
6 August 2026	Implementing Regulation (EU) 2026/1778 on the digital product passport registry in force (published 17 July 2026)	Art. 1 and final article
31 December 2026	End of the period in which the Commission	Art. 79(1), point (a)(i)

may still adopt
measures under Article
15 of the directive for
photovoltaic panels,
heaters, water heaters,
air conditioners,
boilers, ventilation
units, vacuum
cleaners, cooking
appliances, pumps,
industrial fans,
circulators, external
power supplies,
computers, servers,
transformers,
professional
refrigeration and
imaging equipment

2 March 2027	Implementing Regulation (EU) 2026/2 on the format for disclosing discarded unsold consumer products applies to the first full financial year after that date	Art. 1 and Art. 4
14 December 2028	Regulation (EU) 2025/2052 on external power supplies, wireless chargers, battery chargers and USB Type-C cables applies and repeals Regulation (EU) 2019/1782	Art. 1, Art. 10 and Art. 11
19 July 2030	ESPR destruction ban and annual disclosure of discarded unsold consumer products apply to medium-sized enterprises	Art. 24(1) and Art. 25(1)
31 December 2030	End of the period in which the Commission may amend existing ecodesign implementing measures under Article 15 of the directive to	Art. 79(1), point (a)(ii)

address technical
issues

Obligations by role

Manufacturer (including brand owners)

- Identify the implementing regulation that covers your product group and design the product to its specific requirements, staged tiers and information requirements; a product covered by a measure may be placed on the market or put into service only if it complies and bears the CE marking.

Art. 3(1), Art. 15(6) and (8) and Annex VII

- Before placing the product on the market, carry out the conformity assessment yourself using the Annex IV internal design control or the Annex V management system, or another module if the implementing regulation prescribes it; a design function inside an EMAS registration or a harmonised-standard management system is presumed to meet Annex V. Art. 8(1) and Art. 8(2)
- Compile the technical documentation: a description of the product and its intended use, the environmental assessment studies used, the ecological profile where required, the design specification elements on environmental aspects, the standards applied and the solutions adopted where they were not, a copy of the Annex I Part 2 information, and the measurement results against the ecodesign requirements. Annex IV, point 2, and Annex V, point 3.3.2
- Draw up the EC declaration of conformity with your name and address, an unambiguous model description, the harmonised and other standards applied, any other CE legislation applied and the signature of the person empowered to bind you, referring to the implementing measure, and affix the CE marking at least 5 mm high to the product or, where not possible, to the packaging and accompanying documents; do not affix markings likely to mislead about the CE marking.

Art. 5(1) to (4), Annex III and Annex VI

- Draw up the EC declaration of conformity with your name and address, an unambiguous model description, the harmonised and other standards applied, any other CE legislation applied and the signature of the person empowered to bind you, referring to the implementing measure.

Art. 5(1), Art. 5(3) and Annex VI

- Affix the CE marking, at least 5 mm high, to the product or, where that is not possible, to the packaging and accompanying documents, and do not affix markings likely to mislead users about the meaning or form of the CE marking. Art. 5(1), Art. 5(2), Art. 5(4) and Annex III
- Keep the conformity assessment documents and declarations available for inspection for 10 years after the last unit was manufactured, produce them within 10 days of a request from a national authority, and draw them up in an official EU language; for products placed on the market under the directive before an ESPR delegated act applies, make an electronic version available within 10 days.

Art. 8(3) and Art. 8(4); Art. 79(4)

- Supply the consumer information the implementing measure requires, in the form you consider appropriate, on the role consumers can play in the sustainable use of the product and, where required, the ecological profile and the benefits of ecodesign, in the official language the Member State requires when the product reaches the end user. Art. 5(5), Art. 14 and Annex I, Part 2
- Ensure series production stays in conformity with the design specification and the implementing measure, and when a Member State finds a CE-marked product non-compliant, make it comply and end the infringement under the conditions imposed, or face restriction, prohibition or withdrawal from the market; in Denmark, notify the control authority immediately if you have reason to believe the product presents a risk and mark your name, trade name or trade mark and contact details on the product, its packaging or an accompanying document. Art. 7(1) and Annex IV, point 3; § 7 a og § 8, stk. 2
- Ensure the manufacturing process keeps series production in conformity with the design specification and the implementing measure. Annex IV, point 3

- When a Member State finds a CE-marked product non-compliant, make it comply and end the infringement under the conditions imposed, or face restriction, prohibition or withdrawal of the product from the market. Art. 7(1)
- In Denmark, notify the control authority immediately if you have reason to believe a product you placed on the market presents a risk. § 7 a
- In Denmark, mark your name, trade name or trade mark and contact details on the product, its packaging or an accompanying document. § 8, stk. 2
- Do not design products to alter their behaviour under test, to worsen their performance shortly after being put into service or through software updates beyond the margins the delegated acts allow; these ESPR anti-circumvention rules apply to products covered by the directive's implementing measures since 18 July 2024, and when you place components and sub-assemblies on the market provide product manufacturers with the information on material composition and energy, material and resource consumption the measure requires. Art. 40 and Art. 79(2); Art. 11
- Do not design products to alter their behaviour under test, to worsen their performance shortly after being put into service or through software updates beyond the margins the delegated acts allow; these ESPR anti-circumvention rules apply to products covered by the directive's implementing measures since 18 July 2024. Art. 40 and Art. 79(2)
- When you place components and sub-assemblies on the market, provide the manufacturers of the products that incorporate them with the information on material composition and on energy, material and resource consumption that the implementing measure requires. Art. 11

Authorised representative

- Act under a written mandate from the manufacturer covering all or part of the obligations and formalities of the directive; under the ESPR, the mandate may not cover the manufacturer's design and information duties or the drawing up of the technical documentation. Art. 2, point 7; Art. 28(1)
- Where mandated, ensure the conformity assessment is carried out before placing on the market, affix the CE marking and issue the EC declaration of conformity declaring compliance with all relevant provisions of the implementing measure. Art. 5(1) and Art. 8(1)
- Where mandated, ensure the conformity assessment is carried out before the product is placed on the market. Art. 8(1)
- Where mandated, affix the CE marking to the product before it is placed on the market. Art. 5(1)
- Where mandated, issue the EC declaration of conformity declaring compliance with all relevant provisions of the implementing measure. Art. 5(1)
- Keep the conformity assessment documents and declarations available for inspection for 10 years after the last unit was manufactured and produce them within 10 days of a request from the national authority. Art. 8(3)
- When a Member State finds a CE-marked product non-compliant, bring it into conformity and end the infringement under the conditions imposed, and recall non-compliant products from the market when the market surveillance authority orders it. Art. 3(2), point (a), and Art. 7(1)
- Where required, the Danish manufacturer must give you the necessary powers and means to perform the task, and you must cooperate with the control authority and provide the information it requests in a language it easily understands. § 8, stk. 3, og § 10, stk. 3; Art. 28(2)

Importer

- Where the manufacturer is not established in the EU and has appointed no authorised representative, ensure that the product you place on the market or put into service complies with the directive and the applicable implementing measure. Art. 4, point (a)
- In that case, keep and make available the EC declaration of conformity and the technical documentation; in Denmark the importer then carries the manufacturer's responsibility for conformity under section 4 of *ecodesignloven* and must keep the documentation for at least 10 years after the last unit was manufactured and produce it within 10 days. Art. 4, point (b); § 4, stk. 2, og § 8, stk. 1
- Check before placing the product on the market that it bears the CE marking, that the EC declaration of conformity refers to the implementing measure and that the required consumer information accompanies the product in the language the Member State requires. Art. 3(1), Art. 5(1), Art. 5(3) and Art. 5(5)
- As the economic operator established in the Union responsible under Article 4 of Regulation (EU) 2019/1020, verify that the EC declaration of conformity and the technical documentation have been drawn up, keep the declaration at the disposal of the market surveillance authorities, provide them with the information they request and cooperate on corrective action, and indicate your name, registered trade name or registered trade mark and contact details including a postal address on the product, its packaging, the parcel or an accompanying document; in Denmark the same duty follows from section 8(2) of *ecodesignloven*. Notify the control authority immediately if you have reason to believe a product you placed on the market presents a risk. Art. 4(1) to (5); § 7 a og § 8, stk. 2
- As the economic operator established in the Union responsible under Article 4 of Regulation (EU) 2019/1020, verify that the EC declaration of conformity and the technical documentation have been drawn up, and keep the declaration at the disposal of the market surveillance authorities. Art. 4(3)(a)
- Provide the market surveillance authorities with the information and documentation they request on a reasoned request, and cooperate with them on any corrective action. Art. 4(3)(b) and (d)
- Inform the market surveillance authority immediately if you have reason to believe a product you placed on the market presents a risk; in Denmark notify the control authority. Art. 4(3)(c); § 7 a
- Indicate your name, registered trade name or registered trade mark and contact details including a postal address on the product, its packaging, the parcel or an accompanying document; in Denmark the same duty follows from section 8(2) of *ecodesignloven*. Art. 4(4); § 8, stk. 2
- Provide the market surveillance authority on request with all information needed for its checks, including technical documents, conformity data, access to embedded software, supply-chain details, quantities placed on the market and product models with the same technical characteristics, and give access to your premises for sampling. § 10, stk. 3, og § 10 b; Art. 3(2), points (b) and (c)
- For products covered by an ESPR delegated act, place only compliant products on the market, verify that the manufacturer has run the conformity assessment and drawn up the technical documentation, that the digital product passport and digital instructions are available, add your own name and contact details, keep a copy of the EU declaration of conformity for 10 years, and take corrective action, withdraw or recall non-conforming products and inform the authorities. Art. 29
- For products covered by an ESPR delegated act, place only compliant products on the market, and first verify that the manufacturer has run the conformity assessment and drawn up the technical documentation and that the digital product passport and digital instructions are available.
Art. 29(1) and Art. 29(2)
- For products covered by an ESPR delegated act, indicate your name, registered trade name or trade mark and contact details on the product, its packaging or an accompanying document and in the public

part of the digital product passport. Art. 29(3)

- For products covered by an ESPR delegated act, take corrective action, withdraw or recall a non-conforming product you placed on the market, and immediately inform the market surveillance authorities of the Member States where you made it available. Art. 29(6)
- For products covered by an ESPR delegated act, keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities for 10 years. Art. 29(7)

Distributor (wholesaler, retailer or dealer)

- Do not make available a product covered by an implementing measure unless it complies with that measure and bears the CE marking; orders to bring the product into conformity, stop misleading marketing, withdraw, recall or destroy it can be addressed to anyone who has been part of the sales chain. Art. 3(1); § 11, stk. 1
- If you have reason to believe an energy-related product you made available presents a risk, immediately notify the control authority and the responsible manufacturer or importer, cooperate with the authority and give details of the non-conformity and the measures taken. § 7 a
- On request, provide all information needed to determine who is responsible for the product, including documents, technical specifications, conformity information, supply-chain and distribution details and quantities on the market, and allow the control authority access to your business premises and transport to take samples. § 10, stk. 4, og § 10 b
- For products covered by an ESPR delegated act, verify before making them available that they bear the CE marking or the alternative conformity marking, are labelled or linked to a digital product passport, are accompanied by the required documents and digital instructions in the language the Member State determines, and that the manufacturer and importer have applied their identification and contact details; hold back non-conforming products and ensure corrective action, withdrawal or recall.
Art. 30(2) to (4)
- For products covered by an ESPR delegated act, verify before making them available that they bear the CE or alternative conformity marking, carry the required label or digital product passport, come with the required documents and digital instructions in the language of the Member State, and carry the identification and contact details of the manufacturer and importer. Art. 30(2)
- For products covered by an ESPR delegated act, hold back a non-conforming product until it conforms, and for one you already made available ensure corrective action, withdrawal or recall and inform the market surveillance authorities. Art. 30(3) and Art. 30(4)
- As a dealer, give customers access to the information accompanying the product and to the digital product passport, including in distance selling, display the required labels and do not display marks or inscriptions likely to mislead about them; in distance selling the offer must name the manufacturer, the EU responsible operator and identify the product. Art. 31 and Art. 36(1)
- If you sell a product covered by an ESPR delegated act under your own name or trade mark, or modify it in a way that affects compliance, you take on the manufacturer's obligations; keep supplier and customer records for 10 years and provide them within 15 days of a request. Art. 34 and Art. 36(2)
- If you sell a product covered by an ESPR delegated act under your own name or trade mark, or modify it in a way that affects compliance, you take on the manufacturer's obligations. Art. 34
- Keep records of your suppliers and customers of products covered by an ESPR delegated act for 10 years and provide them within 15 days of a request. Art. 36(2)

Penalties

Member States lay down the penalties for infringing their national transposing provisions; they must be effective, proportionate and dissuasive, taking into account the extent of non-compliance and the number of non-compliant units placed on the market, and had to be notified to the Commission by 20 November 2010. Under the safeguard clause a Member State that finds a CE-marked product non-compliant obliges the manufacturer or authorised representative to make it comply and end the infringement, may prohibit placing on the market until compliance is established where there is sufficient evidence of non-compliance, and where non-compliance continues restricts or prohibits placing on the market or putting into service or withdraws the product, informing the Commission and the other Member States. Since 18 July 2024 the ESPR safeguard procedure also applies to products covered by the directive's implementing measures: corrective action within a period commensurate with the risk, otherwise prohibition, restriction, withdrawal or recall, and orders to end formal non-compliance such as a missing or wrongly affixed CE marking, a missing or incorrect EU declaration of conformity, incomplete technical documentation or missing identification details, with the authorities entitled to recover the cost of document inspection and physical product testing from the responsible economic operator where a product is found not to comply with a delegated act adopted under Article 4 of the ESPR, which for now means products whose group has already moved from an ErP implementing regulation to an ESPR delegated act. In Denmark, Sikkerhedsstyrelsen, since January 2026 the Markedsovervågning department of Erhvervsstyrelsen, can order the product to be brought into conformity, require warnings, stop misleading marketing, prohibit placing on the market or making available, order withdrawal, recall or safe destruction and order online content to be changed or removed, and infringements are punished by fines under section 15 of *ecodesignloven* (lovbekendtgørelse nr. 2166 of 29 November 2021, as amended by lov nr. 431 of 6 May 2025) and, for the ESPR, section 21 of *ecodesignproduktloven* (lov nr. 431 of 6 May 2025), with corporate criminal liability for companies.

Art. 7(1) and Art. 20; Art. 66(3), Art. 69, Art. 71 and Art. 79(1)(b) and (2) (Article 20 of the directive applies instead of Article 74 of the

Checklist

1. Confirm the product is an energy-related product under Article 2, point 1, and not a means of transport (Article 1(3)); then find the implementing regulation that covers its product group, because without one there is no ecodesign requirement (Article 15).
2. Read that regulation's Article 1 scope, its exclusions and the dates of each tier in its annexes, including reparability, spare-parts and information requirements, and check for amendments such as Regulations (EU) 2021/341, 2025/2006, 2025/2262 and 2025/2481.
3. Decide who carries the obligations: the manufacturer or its authorised representative, or the importer where the manufacturer is outside the EU without a representative (Article 2, points 6 to 8, and Article 4).
4. Test and calculate with the measurement standards and methods the implementing regulation prescribes, using harmonised standards published in the Official Journal where they exist (Article 9(2) and Annex VII, point 5).
5. Choose the conformity assessment route, Annex IV internal design control or Annex V management system, and compile the technical documentation listed in Annex IV, point 2, before placing the product on the market (Article 8).
6. Draw up the EC declaration of conformity with the Annex VI elements and the reference to the implementing measure, and affix the CE marking of at least 5 mm to the product or, where not possible, to the packaging and documents (Article 5 and Annex III).
7. Provide the consumer and installer information the measure requires, in the language the Member State demands, and mark your name and contact details on the product as the Danish act requires (Article 5(5), Article 14, ecodesignloven section 8).
8. Keep the conformity documents for 10 years after the last unit was manufactured, ready to produce within 10 days, in electronic form once an ESPR delegated act takes over the product group (Article 8(3), ESPR Article 79(4)).
9. Set up the procedure for notifying Sikkerhedsstyrelsen and taking corrective action, withdrawal or recall when a product presents a risk or fails a check (Article 7, ecodesignloven sections 7 a and 11).
10. Track the ESPR transition for your product groups in the 2025-2030 working plan, and if you hold unsold apparel or footwear stock, prepare for the destruction ban from 19 July 2026 and the annual disclosure duty (ESPR Articles 18, 24 and 25).

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13. Commission Regulation (EU) 2019/2020 on light sources and separate control gears (EUR-Lex) — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R2020>
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