

# Retailer requirements for energy rating labels

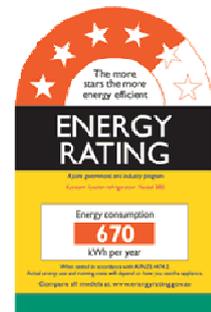
## Product energy efficiency regulations

If you sell appliances or products that are required by regulation to carry energy rating labels, you have some legal responsibilities to meet.

### Your responsibilities for energy rating labels

To legally sell any product in New Zealand that is required to carry an energy rating label under the *Energy Efficiency (Energy Using Products) Regulations 2002*, you must ensure:

- The label is displayed on every shop model product, and supplied on or with every model sold to the consumer.
- The label is displayed correctly on the product.
- The label's model and brand details match the product it is attached to.



### Products that need energy rating labels

The following products are required to have an energy rating label on them to be legally sold in New Zealand:

- Heat pumps/air conditioners
- Dishwashers
- Washing machines
- Dryers
- Dishwashers
- Household fridges and freezers.

Only new products need the labels – second-hand goods are exempt.

### Where to get the labels

The energy rating label is usually provided by the product manufacturer or importer.

If a label is not supplied with the product, or it gets lost or damaged, contact your product supplier for a new one. Until it arrives, a colour photocopy of the label is acceptable.

### How to display the label correctly

The energy rating label must be displayed on a clearly visible part of the product or appliance – for example, the upper-front part of the appliance, or on any display front or door.

The label must not be obscured when the appliance or display front is displayed.

### Ensuring the product matches the label

Double-check that the label you have matches the product it is displayed on (model and brand) – this is a requirement under energy efficiency regulations and the Fair Trading Act.

You must also ensure that the product delivered to the customer has the same energy performance (i.e. energy consumption, in kWh per year) as the displayed shop model.

Read on for more details, or visit [www.eeca.govt.nz/product-standards](http://www.eeca.govt.nz/product-standards).

## Frequently asked questions

### Who is responsible for what under energy efficiency regulations?

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There are different areas of responsibility for ensuring that products covered by energy efficiency regulations meet legal requirements.

- **Product retailers**  
Retailers ensure that any products requiring labels have the correct label displayed on or supplied with the product.
- **Product manufacturers/importers**  
Manufacturers or importers ensure the product is properly tested and registered; that it meets energy efficiency and/or labelling requirements; and that all information provided about the product is true, correct and accurate.
- **EECA**  
EECA is the regulatory authority, which gathers information, offers advice to manufacturers, importers and retailers to help them meet their requirements, and monitors for compliance.

### What are energy rating labels?

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Energy rating labels give consumers simple, comparable information about a product's energy use, and encourage them to choose more energy efficient products.

The label tells the consumer:

- How much energy a product will use (approximately).
- How efficient the product is compared to similar models, with a simple star rating.

### Does the label have to be displayed on every model?

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Yes. If a product is required to have an energy rating label, the label must be displayed on any shop model, and supplied on or with every model sold to the consumer.

### What happens when labelling requirements are updated?

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Periodically, energy rating label requirements for a product type may be amended in the regulations, requiring new or revised labels to be used.

This can happen when the star rating scale is adjusted to reflect ongoing energy efficiency improvements across a product type.

An adjustment to the star rating scale could mean that, for example, a heat pump that rated four-stars on the old label might rate two-stars on the new label. Adjusting the scale ensures consumers continue to get relevant, comparable information about the products they buy.

If labelling requirements are updated, EECA will try to let you know in advance and tell you when the changes are likely to come into effect.

## How does a transition from old to new labels work?

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Transitional arrangements are provided for in the regulations to allow you to sell off stock already in New Zealand.

This means that:

- Any appliances imported into, or manufactured in New Zealand, after new regulations come into effect must be sold with the new energy rating label.
- Old stock is not legally required to be relabelled with the new label.

However EECA strongly encourages retailers to ensure that all their products display the latest energy rating label. This ensures their customers are fully informed about the energy efficiency of the product.

## Who do I contact for more information?

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There is more information about regulated products on the EECA website at [www.eeca.govt.nz/product-standards](http://www.eeca.govt.nz/product-standards).

If you have any questions, please email us at [regs@eeca.govt.nz](mailto:regs@eeca.govt.nz), or phone EECA's products compliance team on **0800 358 676**.

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## Extracts from the Energy Efficiency (Energy Using Products) Regulations 2002

### Definitions

**Consumer** means a person who acquires an item for use; but excludes any person who acquires an item for the purpose of—

- (a) resupplying the item in trade; or
- (b) using the item in a process of production or manufacture

**Display front** means a representation of the front of an item presented for public viewing in a retail outlet

**Model** means a range of items of the same brand where each item has the same energy performance characteristics

**Item** means an individual product

### Duties of persons dealing directly with consumers (Sect 7)

- (1) A person may not make available for sale, lease, hire, or hire purchase in New Zealand an item in a product class described in Schedule 2 to a consumer unless—
  - (a) a label that complies with the standards for that item's product class is attached to that item and to any display front as required by those standards; and
  - (b) the model and brand designations on the label correspond to the model and brand designations of that item.
- (2) Despite anything in sub clause (1), if a person who is selling, leasing, or hiring out an item received from another person in a packaged form does not unpack the item before supplying that item to a consumer, a label need not be attached to that item, but the label must be supplied to the consumer with that item.

### Offences (Sect 13)

- (1) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$10,000 who —
  - (a) contravenes any of regulations 4 to 7, 8(2)(a), 9, 10 or 12(2); or
- (2) Each contravention of any of regulations 4 to 7, 8(2)(a), or 12(2) is a separate offence.
- (3) In any prosecution for an offence arising out of the contravention of any of regulations 4 to 7 and 8(2)(a), it is not necessary to prove that the defendant intended to commit the offence.