

EHPA's Feedback on Strengthening the EU Single Market

Key summary

The EU Single Market is essential to scaling the European heat pump sector. EHPA supports EU-level harmonisation because common rules allow manufacturers to develop and market products across the Union without having to adapt to 27 different regulatory systems. **However, the sector continues to face two distinct but related sources of fragmentation.** On the one hand, Member States may introduce additional or divergent requirements when implementing EU legislation ('gold-plating'). On the other, **where EU legislation does not provide a common framework, Member States may develop their own national approaches.**

While these situations are different, they can have the same consequence: **a product that meets EU requirements may still face additional barriers when entering or operating in another Member State. For example: national subsidy schemes can impose additional eligibility criteria,** meaning that an EU-compliant product may not qualify for support in another Member State. **Similarly, the rules governing heat pump installation remain largely national,** with differences in safety and installer qualification requirements limiting cross-border service provision. **Digitalisation is another emerging concern:** different national approaches to the heat pump flexibility risk creating a new layer of regulatory divergence.

EHPA therefore calls on:

- **Stronger focus on implementation:** not only whether legislation has been transposed, but whether it is implemented in a way that preserves the Single Market.
- **More effective mutual recognition:** if a product, certificate or qualification has already been recognized in an EU Member State, manufacturers should not have to start the process again in another Member State.
- **Early intervention when fragmentation emerges:** The Commission should work with Member States to identify areas where divergent national requirements risk fragmenting the Single Market and intervene early to prevent unnecessary barriers from becoming established.

Introduction

This paper responds to the European Commission's call for evidence on gold-plating¹. It addresses two distinct sources of single market fragmentation that are actively undermining the competitiveness of the heat pump sector and calls on the Commission to act on both.

First, the paper identifies concrete cases in which Member States, when transposing or implementing EU legislation, impose requirements that go beyond what that legislation actually requires, e.g. instances of gold-plating.

Second, the paper identifies a distinct category of barrier: areas in which no EU legislation exists at all, and which are therefore left entirely to national discretion, in the absence of any harmonising measure.

The compounding effect of these two distinct phenomena is that manufacturers face a fragmented compliance landscape that neither improves consumer protection nor advances the EU's stated policy objectives.

This paper sets out, in detail, the gold-plating practices our members encounter and the associated costs these barriers impose, distinguishes them from the separate problem of the lack of EU harmonizing legislation in certain area, and puts forward recommendations to address both.

¹ Gold-plating occurs “where a Member State, when transposing or implementing EU law in a given policy area, introduces a wider scope, stricter rules or obligations that go beyond the requirements set by the EU legal act. Creating more burdensome procedures than what is necessary to implement the EU law can also be considered gold-plating.”

Section 1. National requirements beyond EU legislation

1. Administrative Implementation of Net Zero Industry Act (NZIA) Permitting Provisions: Gold plating practice

A relevant issue to the gold-plating exercise concerns the national implementation of EU simplification measures for industrial permitting. The Net Zero Industry Act ((EU) 2024/1735 introduced Single Points of Contact, online information and permitting timelines to simplify the development of net-zero technology manufacturing projects (see Article 6, 7, 9 and 10 of NZIA).

However, the work of the Net-Zero Europe Platform shows that implementation remains uneven and requires continued coordination at EU level.² If Single Points of Contact are not fully operational, properly staffed and empowered to coordinate all relevant authorities, they risk becoming an additional procedural layer rather than a genuine simplification tool.

Similarly, divergent national approaches to what constitutes a “complete application”, which authorities are covered, or when permitting timelines start and stop can create legal uncertainty and administrative burden for project promoters operating across several Member States. This is relevant for heat pump and component manufacturers considering investments in additional European manufacturing capacity, as uncertainty and fragmented permitting procedures can delay projects and weaken the effectiveness of EU industrial policy.

EHPA recommendation

EHPA recommends that the Commission’s anti-gold-plating toolkit include guidance on the implementation of EU industrial simplification measures. Member States should ensure that Single Points of Contact established under Article 6 NZIA function as genuine coordination points for the full permit-granting process, rather than as an additional procedural step. National implementation should avoid duplicated document requests, parallel procedures between local, regional and national authorities, divergent interpretations of “complete application”, and unclear rules on the start and suspension of permitting deadlines. The Commission should also monitor whether these provisions reduce actual project lead times

² See the minutes of the Net-Zero Europe Platform here: <https://webgate.ec.europa.eu/circabc-ewpp/d/d/workspace/SpacesStore/485bf65d-e769-4b1f-bc5d-173c393afc52/download> & the public list of the EC of Single Points of Contact, which still shows incomplete arrangements in some countries, for example pending regional designations in Belgium and “none currently” for France and Slovakia: https://single-market-economy.ec.europa.eu/industry/sustainability/net-zero-industry-act/streamlined-permitting-and-information-project-promoters_en

in practice, including through feedback from project promoters and regular reporting within the Net-Zero Europe Platform.

2. Drinking Water Directive

The recast Drinking Water Directive (Directive (EU) 2020/2184), hereinafter referred to as "DWD," and Commission Implementing Decision 2024/367 (the European Positive List, "EUPL 2029") exclude hafnium (which is a contaminant of zirconium, a key substance in enamel)- a substance widely used in water heater enamel coatings. This threatens to prohibit approximately 90% of existing water heater models from the EU market.

The DWD provides a transitional period to manage the transition towards the new requirements and the application of the EUPL 2029: products holding a valid national product certificate issued by 31 December 2026 may continue to be placed on the market until 31 December 2032. Products without a national certificate by that date must immediately comply with EUPL 2029 (i.e., the new DWD) or be withdrawn from the market.

The critical issue: most Member States have not yet established their own national product certification scheme (e.g., The Netherlands, Belgium, Slovenia, Bulgaria, etc.). Others are changing their requirements close to the start of the transitional period (e.g., Poland) or have not clarified whether they will accept certificates issued in other Member States under the principle of mutual recognition (e.g., Hungary). This situation undermines the free movement of goods and creates barriers within the Single Market.

The consequences are market fragmentation, closure of production facilities, job losses, and delays to heat pump deployment - a key component of Europe's decarbonisation strategy.

The examples below illustrate how these issues are manifesting across Member States.

⇒ **Poland:** the new critical issue that emerged in July 2026 concerns the anomalous change of approach by the Polish authorities regarding the issuance of the new national product conformity certificates. In particular, we have found that traditional documentation based on the Italian Ministerial Decree DM 174/2004 - which has always been accepted by the Polish authorities (as part of the mutual recognition of certificate) during the certificate application phase - will suddenly no longer be accepted as of last July, on the grounds that it does not include microbiological testing requirements, unlike the UK and the German national certification (WRAS and UBA) certificates, which will continue to be accepted. This position adopted by the authorities

is clearly an anomalous and unilateral stance that, just a few months before the entry into force of the DWD, harms the entire industry and risks leaving the market without products. Furthermore, Poland's course of action could set a dangerous precedent which is precisely what we, as an industry, have feared for some time, given the lack of clear and decisive intervention by the Commission on managing the transitional period and mutual recognition of certificate that allows the circulation of product on the market.

⇒ **The Netherlands:** water heaters and gas boilers do not have a national certification scheme currently in force. Kiwa, the body responsible for defining such schemes, has informed us that there is insufficient time to create ad-hoc schemes for these products; finalizing them would require no less than 18 months, making it impossible to complete them before December 31, 2026. VDW (Dutch association) sent a position paper to Kiwa-NL to support these items:

- whether an existing German or Italian certificate (*mutual recognition*) is considered sufficient during the transition period and if it can be used as the basis for obtaining a Kiwa Water Mark;
- what certification route Kiwa recommends for existing CH boilers and steel enameled tanks until the European DWD system is fully established.

No-reply until today.

⇒ **Belgium:** some weeks ago, a draft has been shared from Belgium Ministry and the following has been determined: *“for products intended for use in domestic plumbing systems (downstream of the water meter), products that were lawfully placed on the Belgian market before 31 December 2026 will be deemed to possess a valid Belgian certificate of conformity. In this context, the product’s first placing on the Belgian market will be considered equivalent to a Belgian certificate of conformity”*. This means that, in principle, products may continue to be offered on the Belgian market without an EU certificate, provided that they were lawfully placed on the market before 31 December 2026 and complied with the national requirements applicable at that time. The current draft Royal Decree also permits, during the transitional period, products that hold a valid national certificate of conformity issued by another Member State. However, the legislative procedure has not yet been fully completed. An amendment to the Product Standards Act is still required in order to establish the legal basis for the Royal Decrees.

This draft is present with no-date for publishing.

- ⇒ **Bulgaria, Cipro, Estonia, Lithuania, Malta and Slovenia:** national certification schemes not yet defined.

Recommendations

The Commission should ask Member States to finalize and publish their national schemes as soon as possible, given that we are now just over 3 months away from the entry into force of the requirements under the new Directive (EU) 2020/2184, which will apply as of 31 December 2026. Furthermore, the Commission should also request that Member States which already have their own national scheme in place refrain from making substantial, interpretative, or even minimal changes to the text of the national law or to testing conditions right at the end of the year, as all of this risks hindering or preventing companies from finalizing their national certification by 2026.

3. Fragmentation in Legal Frameworks for the Digitalization

Heat pumps are increasingly subject to overlapping and uncoordinated EU regulatory requirements linked to digitalisation, data interoperability, and cybersecurity, from Ecodesign and the Grid Connection Codes to the Cyber Resilience Act and the Data Act, each with distinct conformity assessment processes, documentation obligations, and implementation timelines.

At the same time, some Member States and close trade partner countries are also acting on the digitalisation of the energy sector and energy smart appliances, contributing to regulatory uncertainty and market fragmentation. For instance:

- ⇒ **Germany** accepts (until 30.06.2027) SG-Ready certification for heat pumps to be eligible for the federal funding for efficient buildings (BEG) since January 2023, yet in Europe this label is still only scoped to Germany, Austria, and Switzerland, with no recognition at EU level. Furthermore, the Energy Industry Act (EnWG), effective as of January 2024, mandates technical controllability by system operators for heat pumps with maximal electricity capacity above 4.2 kW, with the EEBUS and KNX protocols promoted as de facto standards.
- ⇒ **The Netherlands** is simultaneously developing its own framework and selected three standards (EEBus, S2), based on a national survey with manufacturers of heat pumps, PV panels, electric vehicles, batteries, and energy management systems (EMS).

Outside the EU, the UK is defining smart functional requirements for heat pumps under the Energy Smart Appliances Regulations 2026.

The cumulative effect is one of regulatory overload that increases costs, slows product development cycles, and undermines the Single Market and EU's deployment targets for heat pump deployment. The emerging regulatory framework on flexible assets, and heat pumps specifically, must therefore be streamlined.

EHPA recommendations

- Assess the possibility of using Ecodesign as an integration point for all product-level digital obligations applicable to heat pumps providing such functions.
- Technical standards and connectivity requirements for flexible heat pumps shall be agreed at EU level, and Member States shall avoid introducing additional or divergent national standards to preserve the Single Market.
- The Code of Conduct for Energy Smart Appliances (CoC ESA) is the most suited instrument to provide a voluntary, harmonised EU framework for the interoperability of heat pumps and link it with the national incentive schemes, e.g. the new German subsidy programm

4. Fragmentation of the Installer Market and Barriers to Professional Mobility

Heat pump installation costs currently account for up to 30-70% of the total price for residential installations, depending on the country, the type of installation, building or installer, and are significantly influenced by regulatory complexity, administrative burden and the lack of cross-border competition. Unlike the product itself, which is broadly standardised and placed on the EU market under harmonised rules, the installation service remains held back by fragmented national frameworks and diverging national rules, certifications and qualification regimes that do not fit across EU borders.

The Commission's own study on cross-border construction services demonstrates that mutual recognition of installer qualifications is the exception rather than the rule, and that temporary cross-border service provision is almost never facilitated in practice. Fixed administrative and certification costs disproportionately affect SMEs, which represent the vast majority of heat pump installers, with administrative costs of authorisation procedures often ranging from €3,000 to over €6,000 per Member State, independent of project size. As a result, cross-border

activity in construction services remains only around 1%, despite strong demand across the Union, and skilled professionals are in practice confined to operating in a single Member State.

This fragmentation persists despite Article 18 of the Renewable Energy Directive (EU) 2023/2413 (RED III), which requires Member States to ensure that certification schemes for installers of renewable heating and cooling systems are available and that certifications awarded in other Member States are recognised where they align with the criteria in Annex IV. The persistence of fragmented national regimes shows that this obligation is not yet operationalised in practice.

EHPA recommendations

1) Promote mutual recognition: The Commission should **promote EU-wide recognition of certificates and standards where possible**. National regulations, such as varying rules on planning, sound, and electric or plumbing systems, currently persist and undermine the Single Market.

2) Develop harmonized guidelines: To support the mutual recognition of competence, the Commission should encourage the development of **harmonised EU-level technical guidelines for installation requirements**. Such guidelines should provide a common framework without creating unnecessary regulatory complexity or overly prescriptive requirements, allowing sufficient flexibility for a rapidly developing market. This targeted harmonisation would enable greater efficiency in manufacturing and service provision.

3) Map the compliance to article 18 of RED III: Fragmented and non-portable certification schemes undermine the Single Market, despite Article 18 RED III explicitly requiring recognition of equivalent certifications.

4) Limit disproportionate administrative requirements: the Commission should limit disproportionate requirements by curbing excessive translation and notarisational obligations, requiring digital and English-accessible procedures, and ensuring reasonable deadlines with tacit approval. Any remaining national requirements applied to cross-border installers should be demonstrably necessary, proportionate and non-duplicative, in line with the Services Directive. The development of digital tools allowing authorities to verify installer qualifications can reduce this administrative burden and facilitate cross-border provision.

5. Implementation of the EU legislation as the foundation for harmonisation

Directives establish a common regulatory floor across the Union, but they are only the first step towards genuine harmonisation. Meaningful Single Market integration depends on consistent transposition and implementation by all Member States. However, EHPA consistently observes two implementation pathways that undermine this objective: outright non-transposition, exemplified by the Energy Performance of Buildings Directive, where the absence of transposed measures from all 27 Member States prompted Commission infringement procedures; and divergent or incomplete transposition (with the example of the Drinking Water Directive). Both pathways fragment the market and increase compliance costs for manufacturers. EHPA welcomes Commission efforts to ensure compliance with the EU law and calls on Member States to preserve the integrity of the Single Market.

Section 2. Gaps in single market harmonisation

1. Missing EU Framework for the Safe Deployment of Low-GWP Refrigerants

The revised F-gas Regulation (EU) 2024/573 is accelerating the transition towards low-GWP refrigerants, including flammable alternatives. While it establishes harmonised requirements for placing products on the EU market, it does not address how these technologies are installed and operated within buildings.

The safe use of heat pumps using flammable refrigerants is supported by harmonised European product safety standards, such as EN 378 and IEC 60335-2-40, which establish technical requirement for product design and safety. However, installation requirements remain primarily governed by national building, fire and safety rules, together with national implementation of these standards.

As manufacturers increasingly replace Hydrofluorocarbons (HFC) refrigerants with flammable low-GWP alternatives to comply with the F-gas Regulation, the safe deployment of these technologies becomes increasingly dependent on national regulatory frameworks. As a result, manufacturers, installers and end users continue to operate in a fragmented regulatory landscape. A heat pump using R290 at a charge level permitted under European safety standards may face different installation conditions across EU Member States, not because the product itself differs, but because national implementation of safety and installation requirements varies. **Examples include different national approaches to refrigerant charge limits, ventilation requirements, permitted installation locations and installer qualification requirements.** Manufacturers must therefore adapt products and technical documentation to multiple national approaches, installers face different competence and qualification requirements, and consumers experience unequal access to the same technology across the Single Market.

National example: the Hungary case – Mandatory leak detection systems for units charged with hydrocarbon refrigerants

Hungary has recently introduced national requirements (through the Act LXXXVII of 2024 on Climate Gases and Government Decree 458/2024 (XII.30.) on the conditions for carrying out activities related to greenhouse gases) that go beyond the obligations established by F-gas Regulation (EU) 2024/573 and the applicable European product safety framework (Regulation (EU) 2023/988)

As of 1 March 2025, Hungarian legislation requires owners and operators of equipment charged with hydrocarbons (including R290 heat pumps) to install leak detection systems above specified

refrigerant charge thresholds. The obligation applies from 150 g refrigerant charge for non-residential applications and from 1 kg charge for installations in residential buildings. The leak detection system must be capable of automatically alerting the operator or a service company and its proper functioning must be verified at least every three years.

This requirement is not derived from the EU F-gas Regulation itself. Instead, it introduces an additional national operational requirement for equipment already placed on the market in conformity with EU legislation and relevant harmonised safety standards. Manufacturers placing products on the EU market are already responsible for ensuring compliance with environmental, health and safety requirements through product design, risk assessment and CE conformity procedures.

The Hungarian measure illustrates how divergent national implementation approaches can create regulatory fragmentation during the transition to low-GWP refrigerants. A heat pump that can be legally marketed and installed under harmonised European product legislation may face additional national obligations, costs and administrative requirements in a specific Member State despite having identical technical characteristics.

Such measures increase installation costs, create additional compliance burdens for operators and owners, and risk slowing the deployment of R290 heat pumps, which are expected to play a central role in achieving the objectives of the revised F-gas Regulation. The case demonstrates that, in the absence of a more coherent European approach to the safe deployment of flammable low-GWP refrigerants, Member States may introduce divergent requirements that undermine the functioning of the Single Market and create barriers to market uptake.

EHPA Recommendation

The transition to low-GWP refrigerants required by the revised F-gas regulation therefore requires more than product legislation alone. It also depends on a common understanding of safe installation practices, competent professionals and continuous skills development as technologies, refrigerants and safety requirements continue to evolve. A more coherent European approach, without fragmented practice at Member States level, would help ensure that technological innovation is matched by consistent implementation, high safety standards and a workforce equipped to support the transition.

The Commission should work with Member States and relevant stakeholders to promote a more coherent European approach to the safe deployment of heat pumps using low-GWP refrigerants. This should build not only on existing product safety standards, but also on common competence frameworks, practical installation guidance and continuous professional development for technicians installing heat pumps.

The Commission should also facilitate dialogue with Member States to identify and address unnecessary regulatory barriers arising from divergent national implementation of building, fire and safety requirements for heat pumps using flammable refrigerants, while fully respecting Member States' competence in these areas.

The Commission should build on existing European initiatives such as **SKILLSAFE-EU³**, which brings together manufacturers, training organisations and industry experts to develop practical installation guidance, competence frameworks, training programmes and safety recommendations for the safe deployment of heat pumps using flammable refrigerants. Leveraging such initiatives would support a safer, more consistent and more efficient implementation of the F-gas transition across the Single Market.

2. Different requirements for accessing the market.

CE marking is the EU's common system for demonstrating that a product complies with the EU legislation. The manufacturer is responsible for assessing the product against the relevant product legislations and, where applicable, completing the required conformity assessment before affixing the CE mark. CE marking therefore confirms that the product meets the EU conditions for being placed on the Single Market.

However, CE marking does not guarantee that a product can be effectively sold or installed in every Member State. National rules can still create barriers for a product bearing the CE marking. For heat pumps, this is particularly relevant when it comes to the national building-code calculations, installation requirements and subsidy schemes. The result is a gap between formal market access and effective market access: a heat pump may be CE-marked and legally placeable on the EU market but still face national requirements that limit its practical sale, installation or eligibility for support. In the sections below EHPA, illustrate how such national requirements can create additional barriers for heat pump manufacturers and fragment the Single Market.

Finally, EHPA would like to flag a **potential upcoming risk** related to the **connection of heat pumps to the electricity grid**. As heat pumps become increasingly integrated into the electricity system, new EU rules are being developed to set requirements for products connected to the grid. **The forthcoming Network Code on Demand Connection** should harmonise these requirements across the EU, including for heat pumps.

³ More information on this EU funded project can be found here: <https://skillsafe-eu.ehpa.org>

If these requirements are not harmonised at EU level and covered by CE marking, heat pumps could be subject to additional national **or DSO-level certification** before they can be connected to the grid. This could mean that the same heat pump, although legally placed on the EU market, would face different requirements depending on in which Member States it is installed, creating a new barrier to the free movement of heat pumps within the Single Market. **EHPA recommends that this will not happen**

2.1. Building codes and the environmental performance declaration (EPD)

National building codes increasingly determine not only how heat pump performance is assessed, but also **which product data manufacturers must provide for their products to be recognised in the building calculation**. This creates a potential disconnect between **harmonised EU product requirements and national rules governing the actual use and installation of those products**. While Ecodesign establishes common product-level performance requirements, Member States may require additional performance data, testing or environmental information for their national building-code calculations.

Environmental Product Declarations (EPDs) illustrate this emerging challenge. EPDs provide product-level environmental data over the life cycle and can be used as an input for building-level environmental and carbon calculations. With the revised Energy Performance of Buildings Directive (EPBD) introducing life-cycle carbon calculations for buildings, the role of such data will become increasingly important. **France** has already integrated life-cycle carbon considerations into its national building framework ahead of the EU implementation timeline. **This makes EU-level harmonisation particularly important: without a common methodology and data framework, the implementation of building-related carbon requirements risks generating a new layer of national fragmentation, with manufacturers having to provide different environmental data or assessments for the same product across Member States.**

EHPA recommendation

The national building laws and the development and use of EPDs for heat pumps should be progressively harmonised at EU level, with Member States relying on common methodologies, databases and data requirements rather than introducing divergent national approaches

2.2. Divergent national eligibility criteria for subsidies

National subsidy schemes condition access to public support on product lists or eligibility criteria that differ from one Member State to another, and that frequently go beyond, or diverge from, the requirements already established under the Ecodesign implementing regulations or the energy labelling delegated acts. Examples include Germany's BAFA scheme, Italy's Conto Termico, each of which sets its own product eligibility thresholds, efficiency metrics, or certification requirements. As a result, a product that is fully compliant with EU Ecodesign requirements, and therefore entitled to circulate freely across the Single Market, may nonetheless be excluded from subsidy eligibility in one or more Member States purely on the basis of nationally defined criteria. **This creates a de facto market access barrier:** in a market where consumer demand is heavily subsidy-driven, exclusion from a national scheme is in practice, equivalent to exclusion from that national market, regardless of the product's EU-level compliance status.

National example: the Poland case – Duplicate testing required for subsidy-list eligibility of OBL/private-label systems

An EHPA member reports that the Polish ZUM subsidy listing process did not accept, as sufficient evidence, the combination of (i) an existing HP KEYMARK certification held by the manufacturer, (ii) original-manufacturer performance data for the certified outdoor unit, and (iii) a documented OBL (original brand/private-label) relationship with that outdoor-unit manufacturer. Even though the outdoor-unit performance was already substantiated by recognised European third-party certification, the ZUM process required a new full-system efficiency test conducted under the member's own brand as a precondition for listing.

The direct external cost of this additional test amounts to €7,718, with an approximate 4–6 weeks delay before a laboratory slot becomes available, followed by the listing review itself. The direct laboratory fee is only part of the burden: additional engineering, sample preparation, laboratory coordination, technical-file mapping and product-management capacity are consumed for evidence that is, in substance, already available. This effect is disproportionate for SMEs and scale-ups, which have materially fewer regulatory and engineering resources over which to spread repeated national requirements.

This example illustrates how national subsidy-list procedures can require duplicate performance testing for configurations whose relevant characteristics are already substantiated by EU-recognised certification and original-manufacturer data, delaying access to the subsidised segment of the market with no corresponding safety or performance benefit

EHPA Recommendations:

- 1)** Where Member States require product certification as a condition for subsidy eligibility, equivalent certificates issued in other Member States should be mutually recognised.
- 2)** Products registered in the EPREL database and compliant with EU legislation should not be subject to duplicate technical evidence requirements for inclusion in national subsidy lists. Member States should rely on information already available in EPREL database, rather than requiring manufacturers to register the same products in multiple national databases. EHPA therefore welcomes the proposal in the Energy Product Omnibus (COM(2026) 565 final), which exactly foresees that product registered in EPREL should be eligible for subsidies⁴.
- 3)** Recognising HP KEYMARK as sufficient evidence for eligibility in national heat pump subsidy schemes would ensure that products already independently certified do not face additional national testing or certification requirements. HP KEYMARK is already recognised in several Member States, including Germany, France, Czechia, Slovakia, Denmark and the Netherlands, as a basis for subsidy eligibility or demonstrating technical compliance.⁵
- 4)** For systems combining different components, national subsidy schemes should also accept existing recognised evidence for the individual components whose performance is already substantiated by recognised European third-party certification (such as HP KEYMARK) or by original-manufacturer test data under a documented OBL/private-label relationship, national subsidy schemes should accept that evidence as sufficient. Additional full-system testing should be required only where the Member State identifies a technically substantiated reason why the specific configuration may materially affect declared performance, safety or another regulated characteristic

⁴ The Energy Product Omnibus Proposal COM(2026)565 in its Article 1, amends Article 12 of the Energy labelling Framework Regulation (EU) 1368/2017 to ensure that EPREL data are being recognized for EPREL becomes usable proof for the purpose of national incentives.

⁵ For more information, please visit the following website [here](#).

2.2.1. Divergent national eligibility criteria for subsidies: the ‘Made in Europe’ case

Beyond the general fragmentation of eligibility criteria described above, a particularly concerning trend is the introduction by some Member States of origin requirements - such as "Made in Europe" criteria, as a condition for accessing public support schemes. These requirements create an additional national compliance layer on top of existing eligibility conditions, further fragmenting the Single Market.

Overall, EHPA supports EU efforts to strengthen resilient European heat pump manufacturing and recognises the rationale behind a balanced and pragmatic “Made in Europe” approach. However, Member States are already introducing national production-origin conditions in heat pump support schemes before the EU proposal for the Industrial Accelerator Act has been adopted and before common EU definitions, safeguards and transition periods are in place.

While such measures aim to support European industrial capacity, the proliferation of national versions of “Made in Europe” criteria risks fragmenting the Single Market. Manufacturers may face different geographic scopes, definitions of production, documentation requirements, certification routes and subsidy eligibility rules from one Member State to another.

National examples:

- **France** white certification scheme has introduced an approval mechanism for heat pumps linked to quality and industrial resilience, which will condition enhanced support under this scheme (named CEE-Certificats d’économies d’énergie) from 1 September 2026 on recognised product certification and final assembly of the refrigeration circuit in the European Economic Area (EEA), with different criteria for monobloc and split heat pumps.
- **Poland** is also proposing changes to the ZUM list under the Clean Air Program from 1 January 2027, under which heat pumps and biomass boilers eligible for subsidies would have to be manufactured in the European Union, with the place of production for heat pumps defined as the plant where the final assembly of the refrigeration circuit takes place before hermetic sealing and leak testing.

EHPA recommendation

The Commission should ensure that, once the IAA requirements on union origin become applicable to hydronic heat pump (3 years after its entry into force), Member States cannot impose additional, stricter or divergent national requirements concerning local content requirement in support schemes or public procurement.

While the IAA is being negotiated and until its requirements become applicable, EHPA recommends that the Commission and Member States work towards harmonising, to the greatest extent possible, emerging local-content requirements in national support schemes. This is essential to prevent further fragmentation of the Single Market and to ensure that manufacturers are not required to comply with different eligibility criteria, documentation requirements or geographic scope rules in each Member State.