

CECED written comments on draft ecodesign and energy labelling regulations for light sources

This document summarizes CECED comments on the working documents circulated by the European Commission in view of the Consultation Forum on light sources that will take place on 7 December 2017.

This position paper follows the same structure of the draft regulations, starting with the energy labelling act and annexes, then the Ecodesign act and annexes.

I. Draft energy labelling act

a. Subject matter and scope

On page 6 of the working document, it is written *“The requirements also apply to light sources placed on the market in a containing product”*.

- ➔ CECED would like to ask the European Commission to delete this sentence. On the contrary, we ask to exempt light sources that are placed on the market in a containing product already covered by ecodesign or energy labelling regulation.

Our underlying reasoning is that it does not make sense that light sources integrated into a product already regulated by ED and EL regulations have to comply with a second regulation on energy label and with a second regulation on ED. In addition, if commercially available, light sources that are installed in the containing products have to comply with the regulation in any case. In CECED opinion, this double regulation would bring unnecessary burden for manufacturers and would not bring any energy saving due to the fact that these products are already regulated. In some cases, it could even be counterproductive. Besides, having to comply with two different energy label regulations for one product could really be confusing for consumers, market surveillance authorities and manufacturers.

- *In this regard, the example of range hoods is particularly enlightening: On the Energy label of a range hood the “lighting efficiency of the product” has to be indicated using the EEI classes A-G. In addition the Energy Efficiency of the light source should be given in EEI classed A-G, according to this proposal. These classes will not be the same in most cases. In this case, it will be very hard for consumer to understand the difference between these two information. For that reason, light sources integrated into range hoods should be exempted from the scope of the regulation.*

On page 4 of the working document, it is written: *“If the light source is sold inside a containing product (e.g. a luminaire) it would be confusing to attach a label for the light source to the packaging of the containing product.”*

- ➔ CECED agrees with this statement and therefore recommends exempting light sources that are integrated into other products, as stated above. In our opinion, the body of the draft regulation does not reflect this statement in Article 1, but also in Article 3 (obligation of suppliers) where it is written that *“suppliers shall ensure that: (a) each light source is supplied with a printed label in the format as set out in Annex III”*

On page 4 of the working document, it is written: *“Hence, in this case, a label is not required, but the packaging of the containing product shall display a text declaring the energy efficiency class of the contained light source.”*

- ➔ CECED does not agree with this requirement for the same reasons as specified requirements on lamps in containing products. Furthermore such indication would mean a printing in all official languages of the EU, which is not feasible, especially on small packaging.

On page 6 of the working document, it is written: *“This Regulation shall not apply to light sources specified in Annex I points 1 and 2. Light sources specified in Annex I point 3 shall only be subject to the requirements of Annex V point 5.”*

- ➔ CECED would like to point out that the scope of exclusion of the energy labelling regulation is not in line with the scope of exclusion of the ecodesign regulation. The ecodesign scope excludes lamps used in ambient temperatures below -30°C and above 120°C. CECED recommends using the scope of the ecodesign regulation for both texts.

b. Definitions

On page 7 of the working document, it is written: *“(3) ‘containing product’ means a product containing one or more light sources in scope of this Regulation. Suppliers of containing products shall enable verification by market surveillance authorities of compliance of light source(s) as set out in Annex VI.”*

- ➔ The reference to the Annex is wrong, it should be Annex VIII.

c. Obligations of Suppliers

“Obligation of suppliers”: It should be clear that manufacturers of containing products should only have to comply with point 2 of this article, and not with point 1. This should be clearly spelled out in this article.

II. Draft energy labelling annexes

a. Annex I – Exemptions

On page 3 of the working document, it is written: *“(b) light sources in portable battery-operated containing products, including but not limited to e.g. torches, mobile phones with integrated torch light, toys including light sources, desk lamps operating only on batteries, armband lamps for cyclists, solar-powered garden lamps.”*

- ➔ CECED recommends that the definition of battery operated product is the same in both the ED and EL regulations. It is not the case at the moment – cf. infra.
- ➔ Regarding the exemption of light sources in portable battery-operated products, CECED does not understand why the limit is fixed at a voltage of 24 V for the direct current on which the battery-operated product operates (below that voltage, light sources contained in the battery-

operated product are excluded from the scope – at a voltage of 24 V and above, light sources contained in the battery-operated product are covered by the regulations). What is the justification for such a provision? It doesn't make much sense in our opinion. All the more since all other draft labelling or ecodesign regulations published by the Commission on the 13th or on the 17th of November 2017 exclude (exclusively) battery-operated products, without any reference to the voltage of the direct current on which they operate.

On page 3 of the working document, it is written: *"2. In addition, this Regulation shall not apply to: [...] 3. Any light source in scope of this Regulation shall be exempt from the requirements of Articles 3 and 4, with the exception of Annex V.5, if it has a specific technical design for its intended use in at least one of the following applications: (a) signalling (including, but not limited to, road-, railway-, marine- or air traffic- signalling, traffic control or airfield lamps);(b) image capture and image projection (including, but not limited to, photocopiers and video projectors)."*

- ➔ The wording „ambient temperatures below -30°C or above 120°C“should be added to this annex also in order to be consistent with the annex of the ED regulation.

The explanatory memorandum states: *"Other exemptions regard light sources with special characteristics (e.g. very small LFL, HID with special features, spots with very concentrated light, lights for ovens), light sources already covered by regulations for other products (e.g. electronic displays, imaging equipment), and light sources where inclusion in scope would not be worthwhile (e.g. light sources in portable battery-operated equipment, bicycle lights)."*

- ➔ CECED believes that these exemptions should be included in the annexes as well.
- ➔ Besides, it does not make sense to have a double label for light sources that are integrated into products for the reasons developed above.

b. Annex II – Definitions

On page 7 of the working document, it is written : *"(32)'portable battery-operated' means a containing product that is not fixed to the ambient, that is intended to be carried around by people or to be frequently moved, whose position can be changed by a simple manual pick-and-place operation, and that operates only on direct current (DC) with a voltage of less than 24 V supplied from a source contained in the same product, without being connected directly or indirectly to the mains electricity supply."*

- ➔ This definition is different from the one in the Annex of the ED draft regulation. CECED recommends aligning both definitions on the same wording.

c. Annex III – Label for light sources

On page 10 of the working document, it is written: *"IV. a quick response code (QR-code) redirecting to a website optimized for mobile devices where additional information on the light source can be found"*.

- ➔ The QR code shall be linked with the EU database. Data should be shown only if the product is registered in the database. In case the appliances are not registered an error message should be displayed. The consumer should have the possibility to notify the database responsible entity on missing data.

d. Annex IV – Energy efficiency classes and calculation method

On page 12 of the working document, table 1 refers to $G = 85 \leq \eta_{TM}$.

- ➔ There is a typo in the definition of G class: it should be $85 > \eta_{TM}$

e. Annex V – Product information

On page 14, the working document refers to product information for light sources in a containing product.

- ➔ In CECED understanding, manufacturers of light-source-containing products are not obliged to upload the documents of this light source to the database, but should give information in technical documentation about the EEI of the light source with the confusion we have remarked below. We recommend that this is clarified in the regulation.

On page 14 of the working document, it is written that *“If a light source is placed on the market as a part in a containing product the following information requirements shall apply: (a) the technical documentation for the containing product shall clearly identify the contained light source(s), including the energy efficiency class according to Annex III;”*

- ➔ The reference to the Annex III is wrong, it should be Annex IV.

On page 15 of the working document, it is written that *“If a light source is placed on the market, including when it is a part in a containing product, the following information shall be entered in the public part of the product database: [...]”*

- ➔ CECED strongly believe that such requirement would impose unnecessary burden to manufacturers. Therefore, we call the Commission to keep light sources that are integrated into other products out of the scope.

On this specific requirement, we believe that the information given in the technical documentation (clause 3.2 (a)) is sufficient to identify the light source and to find the relevant data in the product database uploaded by the supplier of the light source.

The main function of a fridge, tumble dryer, dishwasher is not lighting. The light source is switched on only for a very short period of time (e.g. fridge/freezer, tumble dryer, etc. – only when the door is open). The effort for uploading the requested data (light source) to the database is disproportionate compared to the data for the containing product (oven, fridge, etc.).

f. Annex VIII - Verification procedure for market surveillance purposes

On page 22 of the working document, table 4 sets for some parameters a different verification tolerance for different sample sizes, reducing the verification tolerance with increasing sample size.

- ➔ The values declared by manufacturers contain all measurement uncertainties which are under control of the manufacturer. Verification tolerances – as it is the purpose – only concern the measurement uncertainties during the verification process (based on a RRT). On that basis, CECED does not understand why the verification tolerance should be lowered with increasing sample size. We would like to know more about the statistical argumentation that justifies this proposal from the European Commission.
 - For example: if a measuring device has an uncertainty of 5%, the measurement uncertainty will not decrease when one increases the number of samples one measures.

III. Draft ecodesign act

a. Preamble

On page 4 of the working document, it is written that *“(15) Exemptions from the requirements set out in this Regulation should be made for light sources with special technical features for use in specific applications, including those related to health and safety, and for which higher energy efficiency alternatives are not available or not cost-effective. Light sources that are currently allowed on the market to replace less efficient products, should remain available on the market to allow manufacturers and importers to benefit from the payback period of their investment.”*

- ➔ In the Standard EN 60335-2-31 for Safety of household Range hoods, it is defined that light sources have to comply with IEC61231/ILCOS D Code. These requirements are relevant for spare parts, too. So all information for consumer about a replacement (if possible) are given in the user manual already today.

b. Subject matter and scope

On page 5 of the working document, it is written that *“The requirements also apply to light sources and separate control gear placed on the market in a containing product.”*

- ➔ CECED would like to ask the European Commission to delete this sentence. On the contrary, we ask to exempt light sources that are placed on the market in a containing product already covered by ecodesign or energy labelling regulation. We also ask to exempt light sources that are placed on the market in a containing product for which the annual energy consumption of the light source itself is less than 10% of the annual energy consumption of the complete appliance. Please refer to our comment on the scope of the energy labelling regulations for more details.

On page 5 of the working document, it is written: *“2.This Regulation shall not apply to light sources and separate control gears specified in Annex I points 1 and 2. Light sources and separate control gears specified in Annex I point 3 shall comply only with the requirements of Annex III point 3.5”.*

- ➔ CECED would like to point out that the scope of exclusion of the energy labelling regulation is not in line with the scope of exclusion of the ecodesign regulation. The ecodesign scope excludes lamps used in ambient temperatures below -30°C and above 120°C. CECED recommends using the scope of the ecodesign regulation for both texts.
- ➔ In addition to these points, CECED also ask the Commission to make sure that spare parts are exempted from the scope of these regulations (e.g. refrigeration, ovens, hoods...). The repair as produced principle should be respected.
 - *The example of lamps inside combined fridge freezers illustrates perfectly the need for this exemption of spare parts: In the case of combined fridge freezers having a single circuit for two cooling compartments, the light acts not only as a light source but also as a heating element necessary for the good functioning of the appliance. Indeed, the cooling of the two compartments is regulated by a single thermostat inside the fridge compartment. If the ambient temperature of the room where the fridge is located goes below 16°C, the appliance needs an additional heating input to switch on the thermostat again; otherwise, it stops functioning. In current refrigerators, the incandescent lamp used to light the appliance when the door is open also serves as heating element to dissipate the heat to make the thermostat switch on at low ambient temperature. It is therefore clear that if the placing on the market of incandescent lamps used in these fridges is prohibited, then these fridges cannot be repaired (when the lamp breaks), which would imply that perfectly well functioning and energy efficient fridges would have to be discarded. This would mean premature discarding of fridges with a serious negative environmental impact.*

c. Removal of light sources and separate control gears

On page 8 of the working document, it is written *“Manufacturers and importers shall ensure that light sources and separate control gears in scope of this Regulation can be readily removed without permanent mechanical damage by the end-user from any product containing them that is placed on the market. Where light sources and separate control gears in scope of this Regulation cannot be readily removed by the end-user, manufacturers and importers shall ensure that the containing product is designed in such a way that light sources and separate control gears in scope of this Regulation can be readily removed by qualified professionals. Containing products shall be accompanied by instructions on how light sources and separate control gears can be readily removed by either the end-user or by qualified professionals.”*

- ➔ CECED questions the obligation that light sources and/or control gears can be readily removed from any product if the life span of the containing product is shorter than the lighting product. E.g. eco-design requirement for vacuum cleaners motor life of 500 hours and for LEDs 1.000 hours (accelerated endurance test; 6.000 h under current regulation). This requirement could get in conflict with small and compact designs (lightweight, materials, costs, etc.).

IV. Draft ecodesign annexes

a. Annex I - Exemptions

On page 2 of the working document, it is written: *“3. Any light source or separate control gear in scope of this Regulation shall be exempt from the requirements of Annex III, with the exception of the information requirements set out in Annex III point 3.5, if it has a specific technical design for its intended use in at least one of the following applications: [...] (c) ambient temperatures below -30°C or above 120°C.”*

- ➔ As already mentioned above, CECED recommends adding this wording also in the Annex I of the EL regulation in order to keep consistency.

b. Annex III – Ecodesign requirements

On page 11, on table 2 related to correction factor C, colour-tuneable light sources (CTLS) are mentioned as special light source feature.

- ➔ CECED believes that CTLS should be exempted, especially when CTLS are used for decorative lighting. Even when CTLS are able to produce white light as a mixture of RGB colours, the specifications of this white light are not comparable with those of white light produced by normal white light sources. A distinction needs to be made between illumination purposes and decorative purposes.

On page 11, under the section related to separate control gear, it is written: *“The minimum energy efficiency requirements given in Table 3 shall apply for separate control gear operating at full-load”.*

- ➔ In any way a “separate control gear” cannot always be defined as an independent unit which controls the lighting source. It can also be integrated in the control board of a containing appliance, and therefore cannot be measured independently as it is an entire part of an electronic component with broader functions.

On page 13, under the section related to the information to be visibly displayed on the packaging, it is written: *“If a separate control gear is placed on the market in a packaging containing information to be visibly displayed to users, prior to their purchase, the following information shall also be clearly and prominently displayed on the packaging”.*

- ➔ This requirement should be only for separate control gear being placed as such on the market and not a separate control gear in a containing product. CECED recommend clarifying this aspect.

On page 14, under the section related to the information to be visibly displayed on a free-access website, it is written: “If a separate control gear is placed on the market, the following information shall be displayed on at least one free-access website, including a website optimized for mobile devices linked to a QR-code on the packaging”.

- ➔ Similarly, to previous comment, this requirement should be only for separate control gear being placed as such on the market and not a separate control gear in a containing product. CECED recommend clarifying this aspect.

c. Annex IV - Verification procedure for market surveillance purposes

On page 18 of the working document, table 6 sets for some parameters a different verification tolerance for different sample sizes, reducing the verification tolerance with increasing sample size.

- ➔ The values declared by manufacturers contain all measurement uncertainties which are under control of the manufacturer. Verification tolerances – as it is the purpose – only concern the measurement uncertainties during the verification process (based on a RRT). On that basis, CECED does not understand why the verification tolerance should be lowered with increasing sample size. We would like to know more about the statistical argumentation that justifies this proposal from the European Commission.
 - For example: if a measuring device has an uncertainty of 5%, the measurement uncertainty will not decrease when one increases the number of samples one measures.

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