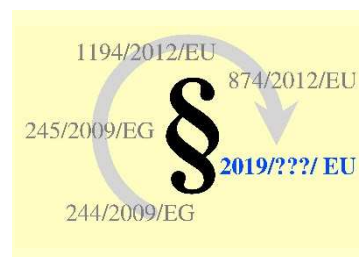


Texte zu den geplanten neuen EU-Regelungen zur umweltgerechten Produktgestaltung und zur Energieverbrauchs-kennzeichnung in der Beleuchtung – Zusammenstellung <sup>[1]</sup> des Umweltbundesamtes (UBA), Deutschland



Entwürfe der EU-Kommission vom 8. Oktober 2018

Arbeitshilfe:

**Vergleiche mit den Entwürfen vom 3. Juli 2018 –  
Produktgestaltung: Haupttext**

*Hinweis: Bitte beachten Sie, daß der angehängte Text nur in Englisch verfaßt ist.*

**EN:** Information on the coming EU Lighting Regulations – Ecodesign and Energy Labelling – Compilation <sup>[1]</sup> of the Federal Environment Agency (UBA), Germany

The EU Commission's drafts of 8 October 2018

**Working aid: Comparison with the drafts of 3 July 2018 –  
Product design: Main text**

**FR:** Informations sur les futures réglementations de l'UE concernant l'éclairage – l'écoconception et l'étiquetage énergétique – Compilation <sup>[1]</sup> de l'Agence Fédérale de l'Environnement (UBA), Allemagne

Les projets de la Commission Européenne du 8 octobre 2018

**Aide de travail : Comparaisons avec les projets du 3 juillet 2018 –  
Conception des produits : Texte principal**

*Indication : Veuillez noter que le présent texte n'est disponible qu'en anglais.*

<sup>[1]</sup> <https://www.eup-network.de/de/eup-netzwerk-deutschland/offenes-forum-eu-regelungen-beleuchtung/dokumente/texte/>

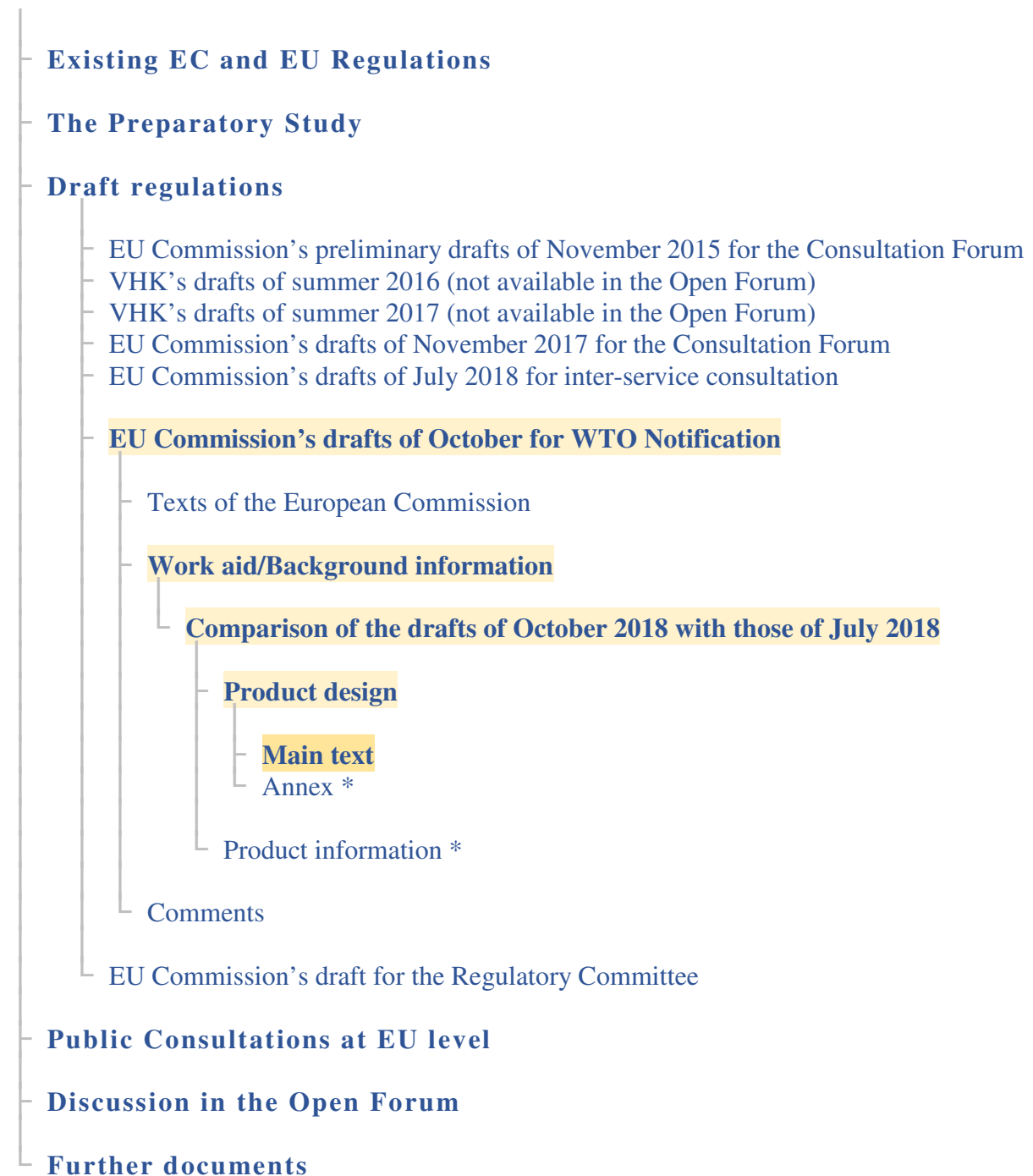
## Texte im Offenen Forum

- **Bestehende Regelungen**
- **Vorstudie vom Oktober 2015**
- **Regelungsentwürfe**
  - EK-Vorentwürfe vom November 2015 für das Konsultationsforum
  - VHK-Entwürfe vom Sommer 2016 (nicht im Offenen Forum verfügbar)
  - VHK-Entwürfe vom Sommer 2017 (nicht im Offenen Forum verfügbar)
  - EK-Entwürfe vom November 2017 für das Konsultationsforum
  - EK-Entwürfe vom Juli 2018 für die dienststellenübergreifende Konsultation
  - **EK-Entwürfe vom Oktober 2018 für die WHO-Notifizierung**
    - EK-Texte
    - **Arbeitshilfen/Hintergrundtexte**
      - **Vergleich der Entwürfe vom Oktober 2018 mit denen vom Juli 2018**
        - **Produktgestaltung**
          - **Haupttext**
          - Anhang \*
        - Produktinformation \*
    - Stellungnahmen
  - EK-Entwürfe für den Regelungsausschuß
- **Öffentliche Konsultationen auf EU-Ebene**
- **Diskussion im Offenen Forum**
- **Weitere Dokumente**

\* Stand 24. Oktober 2018: noch in Arbeit

Abkürzungen: • EK = EU-Kommission • KF = Konsultationsforum • VHK = Van Holsteijn en Kemna, <https://www.vhk.nl/> • WHO = Welthandelsorganisation

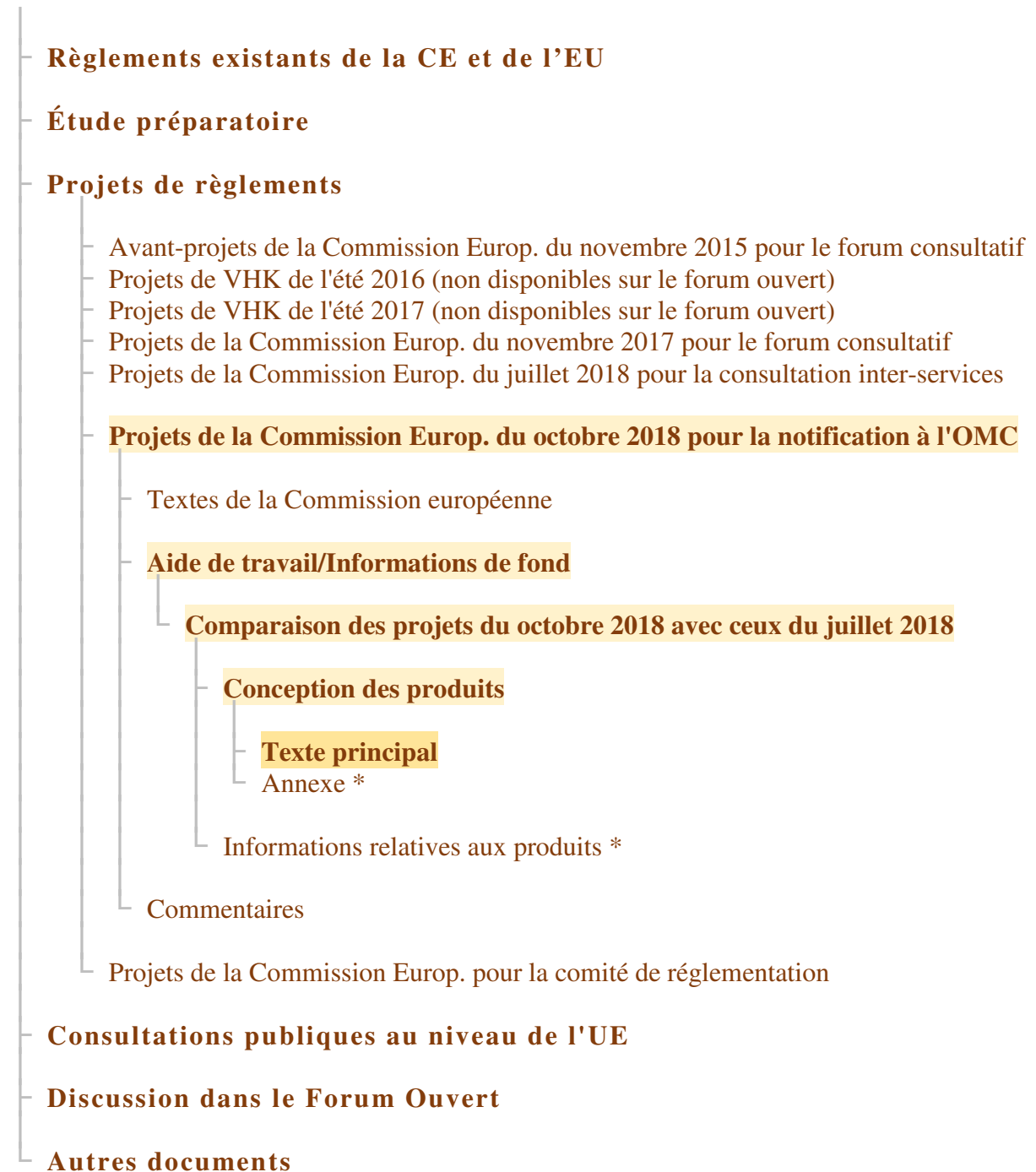
## Documents in the Open Forum



\* Status as of 24 October 2018: still in progress

Abbreviations: • VHK = Van Holsteijn en Kemna, <https://www.vhk.nl/> • WTO = World Trade Organisation

**Documents dans le forum ouvert**



\* État au 24 octobre 2018 : toujours en cours

Abréviations : • OMC = Organisation mondiale du commerce • VHK = Van Holsteijn en Kemna,  
<https://www.vhk.nl/>

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Es folgt ein unveränderter Originaltext.

**EN:** The following is an unmodified original text.

**FR:** Ce qui suit est un texte original.

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Offenes Forum EU-Regelungen zur Beleuchtung:  
**Vergleiche der Regelungsentwürfe der EU-Kommission vom  
8. Oktober 2018 mit denen vom 3. Juli 2018:  
Produktgestaltung – Haupttext**  
– Arbeitshilfe von Christoph Mordziol, UBA –

**EN:**

Open Forum EU Policies on Lighting:  
**Comparison of the EU Commission's draft regulations  
of 8 October 2018 with those of 3 July 2018:  
Product design – main text**  
— Working aid by Christoph Mordziol, UBA —

**FR:**

Forum ouvert sur le politique européenne de l'éclairage :  
**Comparaison des projets de règlement de la Commission européenne  
du 3 octobre 2018 avec ceux du 3 juillet 2018 :  
Conception des produits – texte principal**  
— Aide de travail par Christoph Mordziol, UBA —

Die hier wiedergegebene Meinung muß nicht zwingend mit der Meinung des Umweltbundesamtes übereinstimmen. Bei Übersetzungen handelt es sich, sofern nicht anders gekennzeichnet, um nicht-autorisierte Übersetzungen. ◇ **EN:** This paper does not necessarily reflect the opinion or the policies of the German Federal Environment Agency. Translations are, unless otherwise indicated, unauthorized translations. ◇ **FR :** L'opinion reproduite ici ne doit pas nécessairement coïncider avec l'avis de l'Agence Fédérale de l'Environnement. Les traductions sont, sauf indication contraire, des traductions non autorisées.





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## Vorbemerkungen ◇ Preliminary remarks ◇ Remarques préliminaires

Am 13. Juli 2018 machte die EU-Kommission neue Entwürfe für Regelungen zu Beleuchtungsprodukten mit Anforderungen an die Produktgestaltung und -information bekannt <sup>[1]</sup>. Nach Abschluß anschließenden dienststellenübergreifenden Konsultation, also der Abstimmung zwischen den Generaldirektionen, hat die federführende Generaldirektion Energie die Regelungsentwürfe in Teilen überarbeitet. Am 8. Oktober 2018 erfolgte die Notifizierung der Regelungsentwürfe innerhalb der Welthandelsorganisation (WHO <sup>[2]</sup>). Diese neuen Regelungsentwürfe sind öffentlich zugänglich und stehen auch beim Offenen Forum, dort um Inhaltsverzeichnisse ergänzt, zur Verfügung <sup>[3]</sup>.

Leider lassen die genannten Texte nicht erkennen, welche Änderungen gegenüber den vorigen Entwürfen vom 3. Juli 2018 vorgenommen wurden. Deshalb soll der vorliegende Text, wie andere Hilfstexte zu den genannten Regelungsentwürfen auch, es erleichtern, die Unterschiede zwischen den Entwürfen vom Juli 2018 und denen vom Oktober 2018 schneller zu erfassen.

Hierfür wurden die Texte der genannten Entwürfe verglichen. Ab dem Abschnitt 2 sind die Texte wiedergegeben und

On 13 July 13 2018, the EU Commission announced new draft regulations on lighting products with requirements on product design and product information <sup>[1]</sup>. After concluding inter-service consultation, i.e. coordination between the Directorates-General, the lead DG Energy has partially revised the draft regulations. On 8 October 2018, the draft regulations were notified within the World Trade Organization (WTO <sup>[23]</sup>). These new draft regulations are publicly available and are also available at the Open Forum, where content directories are added <sup>[3]</sup>.

Unfortunately, the texts mentioned do not indicate what changes have been made to the previous drafts of 3 July 2018. Therefore, like other aid texts on these new Commission drafts, the present text aims to make it easier to grasp the differences between the draft regulations of July 2018 and those of October 2018 faster.

For this purpose, For this the texts of the mentioned drafts were compared. From section 2 onwards the texts are reproduced

<sup>1</sup> Zu den Bezugsquellen dieser Texte siehe Abschnitt A.1.4 (ab Seite 36). ◇ EN: The sources of supply of these texts can be found in section A.1.4 (page 36ff). ◇ FR: Les sources de référence pour cette textes se trouve dans chapitre A.1.4 (à partir de la page 36).

<sup>2</sup> WHO = Welthandelsorganisation ◇ EN: WTO = World Trade Organisation ◇ FR: OMC = Organisation mondiale du commerce; <https://www.wto.org/>

<sup>3</sup> Zu den Bezugsquellen dieser Texte siehe Abschnitt A.1.5 (ab Seite37). ◇ EN: The sources of supply of these texts can be found in section A.1.5 (page 37ff). ◇ FR: Les sources de référence pour cette textes se trouve dans chapitre A.1.5 (à partir de la page 3736).

Änderungen kenntlich gemacht. Die Hauptergebnisse, das heißt wesentliche Änderungen gegenüber den Entwürfen vom Juli 2018, sind im Abschnitt 1 zusammengefaßt.

and changes are indicated. The main results, i. e. significant changes compared to the drafts of July 2018, are summarized in section 1.

## 1 Hauptergebnisse der Vergleiche ◇ Main results of comparisons ◇ Résultats principaux des comparaisons

Es gibt zahlreiche redaktionelle Änderungen wie beispielsweise die Berichtigung veralteter Querverweise, die hier in der Übersicht nicht weiter aufgeführt werden. Darüber hinausgehende Änderungen sind meist am Anfang der Unterabschnitte „Artikel 1 – Gegenstand und Geltungsbereich“, „Artikel 2 – Begriffsbestimmungen“ usf. aufgeführt. Davon kann man die folgenden Änderungen als wesentlich betrachten:

There are numerous editorial changes, such as the correction of obsolete references. These should not be listed here in the overview. Further changes are usually listed at the beginning of the subsections “Article 1 – Subject matter and scope”, “Article 2 – Definitions” and so on.

The following changes can be considered essential:

- Erwägungsgründe:

Der Entwurf vom Juli 2018 enthielt den folgenden Erwägungsgrund, der so oder sehr ähnlich auch in den bestehenden Verordnungen formuliert ist <sup>[4]</sup>.

- Recitals:

The draft of July 2018 contained the following recital, formulated in a similar or very similar way to existing regulations <sup>[4]</sup>.

**DE:** „Die Anforderungen an die umweltgerechte Produktgestaltung sollten aus Nutzersicht die Funktion des Produktes nicht beeinträchtigen und keine Nachteile für Gesundheit, Sicherheit oder Umwelt mit sich bringen.“ <sup>[5]</sup>

**EN:** „The ecodesign requirements should not affect functionality from the user’s perspective and should not negatively affect health, safety or the environment.“

**FR :** « Les exigences en matière d'écoconception ne doivent pas avoir d'incidence négative sur les fonctionnalités des produits du point de vue de l'utilisateur ni de conséquences néfastes pour la santé, la sécurité ou l'environnement. » <sup>[5]</sup>

<sup>4</sup> In den Verordnungen 244/2009/EG \* und 245/2009/EG \* (Erwägungsgrund 14) sowie der Verordnung 1194/2012/EU \* (Erwägungsgrund 15). \* Zu den Bezugsquellen dieses Textes siehe die Liste ab Seite 33. ◇ **EN:** In Directives 244/2009/EC \* and 245/2009/EC \* (recital 14) and in Directive 1194/2012/EU \* (recital 15). \* The source of supply of this text can be found in the list on page 33ff. ◇ **FR :** Dans les règlements 244/2009/CE \* et 244/2009/CE \* (considérant 14) et dans le règlement 1194/2012/UE \* (considérant 15). \* Le source de référence pour cette texte se trouve dans la liste à partir de la page 33.

<sup>5</sup> Übersetzung des Herausgebers. ◇ **FR :** Traduction de l'éditeur

Im Entwurf vom Oktober ist dieser Erwägungsgrund gestrichen.

- Begriffsbestimmungen (Artikel 2):
  - Die Begriffsbestimmung für den Zustand Erglühen, auch Inkandescenz genannt, ist in dem neuen Entwurf so formuliert, daß nicht nur Allgebrauchs- und Halogenleuchtampen unter die zugehörigen Lichtquellen fallen, sondern auch andere Temperaturstrahler wie z. B. IR-Strahler.
  - Die Begriffsbestimmungen für Hüllprodukte, engl. *containing product*, und ALED-Kapselung, engl. *LED package*, wurde etwas klarer gefaßt.
  - Mehrere Begriffsbestimmungen, die in der vorigen Fassung vom Juli 2018 zusammengefaßt worden waren, sind nun wieder getrennt.

→ Siehe auch ab Seite 13.

- Ausbaubarkeit von Lichtquellen und getrennten Betriebsgeräten (Artikel 4): Hier gibt es zwei Änderungen:
  - Gemäß dem neuen Entwurf dürften Lichtquellen und getrennte Betriebsgeräte in Hüllprodukte auch auf eine Art eingebaut sein, bei der nicht auszuschließen ist, daß im Falle eines Ausbaues der Lichtquelle und/oder des Betriebsgerätes zu Prüfzwecken durch Marktaufsichtsbehörden das Hüllprodukt dauerhaft beschädigt wird.
  - Die Information darüber, ob eine Lichtquelle oder ein Betriebsgerät durch einen Endnutzer und/oder eine qualifizierte Personen ohne dauerhafte Beschädigung des Hüllproduktes ersetzt oder nicht ersetzt werden kann,

In the draft of October this recital is deleted.

- Definitions (Article 2):
  - In the new draft, the definition of the phenomenon incandescence is formulated to include not only GLS (general lamp shape light sources) and halogen lamps, but also possible other sources of thermal radiation, such as IR emitters.
  - The definitions for containing products and for LED packages were made somewhat clearer.
  - Several definitions which were summarized in the previous version of July 2018, are now separated again.

→ See also page 13ff.

- Removal of light sources and separate control gears (Article 4): There are two changes here:
  - Following the new draft, light sources and separate control gear may be integrated in containing products even in a way that removal of light sources and/or separate control gears for verification purposes by market surveillance authorities leads to a permanent damage of the containing product.
  - Information about the replaceability or non-replaceability of light sources and control gears by end-users or qualified persons without permanent damage to the containing product, the new draft stipulates a somewhat extended

soll sich auch in den Benutzerhinweisen befinden.

→ Siehe auch ab Seite 17.

- Regelungsumgehung (Artikel 7):  
Bei Produkten, bei denen Programme Einfluß auf den Stromverbrauch haben und bei denen eine Programmauffrischung zu einer Erhöhung des Stromverbrauches führen würde, müßte nach dem neuen Entwurf die Zustimmung des Endbenutzers *vor* der Auffrischung abgefragt/eingeholt werden.

→ Siehe auch ab Seite 20.

obligation: This information must also appear in the user instructions.

→ See also page 17ff.

- Circumvention (Article 7):  
For products where programs (a software or firmware) have an impact on power consumption and where an update would result in higher power consumption, the new draft would require the end user's consent *before* the update./

→ See also page 20ff.



## 2 Die Änderungen im einzelnen ◇ The changes in detail ◇ Les changements en détail

Vorbemerkungen:

Änderungen sind wie folgt gekennzeichnet:

- ~~gestrichener Text~~
- eingefügter Text
- Bei Verschiebungen ~~entnommener~~ und eingefügter Text

Beispiele:

Preliminary remarks:

Changes are marked as follows:

- ~~deleted text~~
- added text
- shifting of text: ~~removed~~ and inserted text

Examples:

(2) 'control gear' means one or more devices, ~~possibly~~that can be or not physically integrated in a light source, intended to prepare the mains ~~electricity supply~~ (...) ~~'Mains' or 'mains voltage' or 'mains electricity supply' (MV) means the electricity supply of 230 (±10 %) Volt of alternating current at 50 Hz.~~

(...)

(6) 'mains' or 'mains voltage' (MV) means the electricity supply of 230 (±10 %) Volt of alternating current at 50 Hz;

Änderungen, die nur redaktioneller Art sind und nichts an den Aussagen ändern, sind hier nicht kenntlichgemacht, damit wichtige Änderungen schneller erfaßt werden können.

Beispiele:

Changes that are editorial in nature and that do not change the statements are not marked here so that significant changes can be detected more quickly.

Examples:

... in accordance with Directive 2009/125/EC, Annex 1, part 3 (~~, point 2~~). → ...in accordance with Directive 2009/125/EC, Annex 1, part 3, point 2.

... ~~Commission Regulation~~Regulations (EC) No 244/2009 ... → ... Regulations (EC) No 244/2009 ...

... which a functional ~~light-emitting-diode~~ (LED) circuit ... → ... which a functional LED circuit ...

## 2.1 Titelseite ◊ Cover page ◊ La une

Keine wesentlichen Änderungen.

No significant changes.



Brussels, XXX  
[...](2018) XXX draft

### COMMISSION REGULATION (EU) .../... of XXX

**~~implementing~~ laying down ecodesign requirements for light sources and separate control gears pursuant to Directive 2009/125/EC of the European Parliament and of the Council ~~with regard to ecodesign requirements for light sources and separate control gears~~**

**~~and~~ repealing Commission Regulation (EC) No 244/2009 ~~with regard to ecodesign requirements for non-directional household lamps,~~**

**~~Regulation (EC) No 245/2009 with regard to ecodesign requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaires able to operate such lamps,~~**

**~~and Regulation (EU) No 1194/2012 with regard to ecodesign requirements for directional lamps, light emitting diode lamps and related equipment~~**

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. ~~The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material.~~

(Text with EEA relevance)

## 2.2 Erwägungsgründe ◊ Recitals ◊ Considérants

Viele Änderungen betreffen eher die Wortwahl und Bezüge auf bestehende Rechtstexte.

Bei den Änderungen im Inhalt erscheinen zwei Dinge erwähnenswert:

- Gestrichen wurde der Erwägungsgrund 15 aus dem Entwurf vom Juli 2018, der dort den folgenden Wortlaut hatte <sup>[6]</sup>:

Many changes affect the wording and references to existing legal texts.

Concerning the content two things are worth mentioning:

- Recital 15 of the draft of July 2018, which had the following wording, was deleted <sup>[6]</sup>:

**DE:** „Die Anforderungen an die umweltgerechte Produktgestaltung sollten aus Nutzersicht die Funktion des Produktes nicht beeinträchtigen und keine Nachteile für Gesundheit, Sicherheit oder Umwelt mit sich bringen.“ <sup>[7]</sup>

**EN:** „The ecodesign requirements should not affect functionality from the user’s perspective and should not negatively affect health, safety or the environment.“

**FR :** « Les exigences en matière d'écoconception ne doivent pas avoir d'incidence négative sur les fonctionnalités des produits du point de vue de l'utilisateur ni de conséquences néfastes pour la santé, la sécurité ou l'environnement. » <sup>[7]</sup>

- In Erwägungsgrund 3 wurde die Aussage eingefügt, daß in dem Arbeitsplan der EU-Kommission zur umweltgerechten Produktgestaltung für 2016 bis 2019 <sup>[8]</sup> die Beleuchtung mit einem geschätzten
- In recital 3 a statement was inserted that the Commission's Ecodesign working Plan 2016-2019 <sup>[8]</sup> listed lighting with estimated 41.9 TWh of annual final energy savings in 2030.

<sup>6</sup> So oder sehr ähnlich auch formuliert in den Verordnungen 244/2009/EG \* und 245/2009/EG \* (Erwägungsgrund 14) sowie der Verordnung 1194/2012/EU \* (Erwägungsgrund 15). \* Zu den Bezugsquellen dieses Textes siehe die Liste ab Seite 33. ◊ **EN:** So or very similar formulated also in Directive 244/2009/EC \* and 245/2009/EC \* (recital 14) and in Directive 1194/2012/EU \* (recital15). \* The source of supply of this text can be found in the list on page 33ff. ◊ **FR :** Tellement ou très similaire formulé dans les règlements 244/2009/CE \* et 244/2009/CE \* (considérant 14) et dans le règlement 1194/2012/UE \* (considérant 15). \* Le source de référence pour cette texte se trouve dans la liste à partir de la page 33.

<sup>7</sup> Übersetzung des Herausgebers. ◊ **FR :** Traduction de l'éditeur

<sup>8</sup> Dieser Text kann heruntergeladen werden unter ... ◊ **EN:** This documents may be downloaded under ... ◊ **FR :** Ce texte peut être téléchargé sous ...

**DE:** [https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_PG\\_Arbeitsplan\\_2016\\_2018\\_DE.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_PG_Arbeitsplan_2016_2018_DE.pdf)

**EN:** [https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_PG\\_Arbeitsplan\\_2016\\_2018\\_EN.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_PG_Arbeitsplan_2016_2018_EN.pdf)

**FR :** [https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_PG\\_Arbeitsplan\\_2016\\_2018\\_FR.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_PG_Arbeitsplan_2016_2018_FR.pdf)

**BG, CS, DA, EL, ES, ET,...** : <https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:52016DC0773>

Einsparpotential von 41,9 TWh, bezogen auf den Jahresverbrauch an Energie im Jahre 2030, aufgeführt sei.

Anmerkungen des Herausgebers: Der Arbeitsplan bezieht sich auf Maßnahmen zur umweltgerechten Produktgestaltung und Energieverbrauchskennzeichnung, während die hier betrachtete Verordnung nur die Produktgestaltung betrifft. Zudem dürfte der genannte Einsparbetrag auf der Vorstudie beruhen. Aus diesen beiden Gründen sollte der Einsparbetrag nicht der hier betrachteten Verordnung zugeschrieben werden. Für die Regelungsentwürfe vom November 2017 gibt es eine Aussage über die zu erwartenden Einsparungen von der niederländischen Ingenieurfirma VHK <sup>[9]</sup>, die die Vorstudie zu Lichtquellen gemacht hat und die die EU-Kommission berät: rund 29 TWh, bezogen auf den Stromverbrauch des Jahres 2030 gegenüber dem zu erwartenden Trend <sup>[10]</sup>.

Editor's note: The working plan refers to eco-design and energy labelling measures, while the regulation under consideration concerns only product design. In addition, the aforementioned savings should be based on the preliminary study. For these two reasons, the savings amount should not be attributed to the regulation considered here. For the draft regulations of November 2017, there is a statement about the expected savings from the Dutch engineering company VHK <sup>[89]</sup>, which has made the preliminary study on light sources and which acts as a consultant for the EU Commission: about 29 TWh, compared to the electricity consumption of the year 2030 the expected trend <sup>[10]</sup>.

<sup>9</sup> Die niederländische Ingenieurfirma *Van Holsteijn en Kemna* ... ◊ EN: The dutch engineering company *Van Holsteijn en Kemna* ... ◊ FR : La société d'ingeneurs néerlandais *Van Holsteijn en Kemna* ... <https://www.vhk.nl/>

<sup>10</sup> Quelle: Konsultationsforum am 7. Dezember 2017; Vortrag von Herrn Leo Wierda, VHK, siehe Vortragsfolie 22. Zu der Bezugsquelle dieses Vortrages siehe Abschnitt **A.1.3.1** (Seite 35). ◊ EN: Consultation Forum on 7 December 2017; presentation by Mr. Leo Wierda, VHK; see slight no. 22. The source of this presentation can be found in section **A.1.3.1** (page 35ff.). ◊ FR : Forum consultatif du 7 décembre 2017; exposé de M. Leo Wierda, VHK; vori feuille 22. La source de référence pour cette exposé se trouve dans chapitre **A.1.3.1** (page 35).

Die Änderungen in einzelnen:

The changes in detail:

THE EUROPEAN COMMISSION,

Having regard to Article 114 of the Treaty on the Functioning of the European Union,  
Having regard to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products<sup>11</sup>, and in particular Article 15(1) thereof,

~~After consulting the Consultation Forum referred to in Article 18 of Directive 2009/125/EC,~~

Whereas:

- (1) ~~Pursuant to~~ Directive 2009/125/EC ~~requires~~ the Commission ~~to~~should set ecodesign requirements for energy-related products ~~representing which account for~~ significant volumes of sales and trade, ~~having in the Union and which have~~ a significant environmental impact and presenting significant potential for improvement through design in terms of their environmental impact, without entailing excessive costs.
- (2) ~~The Ecodesign Working Plan 2016-2019<sup>12</sup> established by the Commission in application of Article 16(2)(a)~~ of Directive 2009/125/EC ~~provides that the Commission should, where appropriate, introduce~~ sets out the working priorities under the ecodesign and energy labelling framework for the period 2016-2019. The Working Plan identifies the energy-related product groups to be considered as priorities for the undertaking of preparatory studies and eventual adoption of implementing measures for products which offer significant, as well as the review of the current regulations.
- (23) ~~Measures from the Working Plan have an estimated potential for to deliver a total in excess of 260 TWh of annual final energy savings in 2030, which is equivalent to reducing greenhouse gas emissions in a cost-effective way, such as the lighting products in the scope of this Regulation. These implementing measures should be introduced in accordance by approximately 100 million tonnes per year in 2030. Lighting is one of the product groups listed in the Working Plan, with the procedure referred to in Article 19(3) and the criteria set out in Article 15(2) of the same Directive an estimated 41.9 TWh of annual final energy savings in 2030.~~
- (3) The Commission established ecodesign requirements for lighting products in ~~three~~ Commission Regulations ~~implementing Directive 2009/125/EC~~ ~~(EC) No 244/2009<sup>13</sup> and its successive amendments<sup>14</sup>, Commission Regulation (EC) No 244/2009~~ (EC) No 244/2009.

<sup>11</sup> OJ L 285, 31.10.2009, p. 10.

<sup>12</sup> COM(2016) 773 final of 30.11.2016.

<sup>13</sup> ~~OJ L 76, 24.3.2009, p. 3.~~ Commission Regulation (EC) No 244/2009 of 18 March 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for non-directional household lamps (OJ L 76, 24.3.2009, p. 3).

<sup>14</sup> ~~OJ L 247, 19.9.2009, p. 3 and OJ L 244, 27.8.2015, p. 1~~

- No 245/2009<sup>15</sup> and ~~its successive amendments<sup>16</sup> and Commission Regulation (EU) No 1194/2012<sup>17</sup> and its successive amendment<sup>18</sup>.~~
- (4) ~~Article 7 of Commission Regulation (EC) No 244/2009, Article 8 of Commission Regulation (EC) No 245/2009 and Article 7 of Commission Regulation (EU) No 1194/2012 require the Commission to review the~~. Pursuant to those Regulations ~~in~~ the Commission should review them in the light of technological progress.
- (5) The Commission has reviewed ~~Commission Regulation (EC) No 244/2009, Commission Regulation (EC) No 245/2009 and Commission Regulation (EU) No 1194/2012~~ those Regulations and analysed the technical, environmental and economic aspects of lighting products as well as real-life user behaviour. The review was ~~undertaken~~ carried out in close cooperation with stakeholders and interested parties from the Union and third countries. The results of the review were made public and presented to the Consultation Forum established by Article 18 of Directive 2009/125/EC.
- (6) The review ~~study~~ shows the benefit of updating the requirements for lighting products. ~~The review also shows and~~ the benefit of simplifying the requirements to be applied to lighting products, in particular by having one single regulation for this product group.
- (7) ~~The unification of the three existing regulations~~ This is in line with the Commission's 'Better Regulation' policy ~~with the main and should~~ aim to decrease the administrative burden for manufacturers and importers, and to facilitate verification by market surveillance authorities, inter alia by better defining the scope and exemptions, reducing the number of parameters for compliance testing and decreasing the time of some test procedures.
- (8) ~~Following~~ In accordance with the review, ~~a uniform formula is set to calculate the energy efficiency for all the~~ lighting products that ~~are in~~ fall within the scope of the three existing regulations. ~~Light sources and their control gears as defined in Article 2 come within the subject of~~ should be covered by this Regulation ~~resulting from the combination of the~~. Furthermore, a uniform formula should be set to calculate the energy efficiency of such lighting products in scope of Commission Regulation (EC) No 244/2009, Commission Regulation (EC) No 245/2009 and Commission Regulation (EU) No 1194/2012.
- (9) The annual electricity consumption of products subject to this Regulation in the Union was estimated at 336 TWh in 2015, ~~covering~~. This covers 12.4 % of the overall ~~EU28~~ use of electricity ~~use, corresponding by the 28 Member States and corresponds~~ to 132 million tonnes of CO<sub>2</sub> equivalent. ~~While the projected~~ greenhouse gas emissions. The energy consumption of lighting products in a business-as-usual scenario ~~will~~ is projected to decrease by 2030. However, this reduction is expected to slow down unless the existing ecodesign requirements are updated.
- (10) The environmental aspects of lighting products ~~in the scope of this Regulation~~ that have been identified as significant for the purposes of this Regulation are energy consumption in the use phase along with mercury content ~~and mercury emissions~~.

<sup>15</sup> ~~OJ L 76, 24.3.2009, p. 17.~~ Commission Regulation (EC) No 245/2009 of 18 March 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaires able to operate such lamps, and repealing Directive 2000/55/EC of the European Parliament and of the Council (OJ L 76, 24.3.2009, p. 17).

<sup>16</sup> ~~OJ L 104, 24.4.2010, p.20 and OJ L 244, 27.8.2015, p.1~~

<sup>17</sup> ~~OJ L 342, 14.12.2012, p. 1.~~ Commission Regulation (EU) No 1194/2012 of 12 December 2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for directional lamps, light emitting diode lamps and related equipment (OJ L 342, 14.12.2012, p. 1).

<sup>18</sup> ~~OJ L 244, 27.8.2015, p.1~~

- (~~11~~10) ~~As the~~The use of hazardous substances, including mercury ~~content of~~in light sources is ~~restricted~~governed by Directive 2011/65/EU of the European Parliament and of the Council (RoHS)<sup>19</sup>, ~~no~~No specific ecodesign requirements on mercury content should therefore be set in this Regulation. ~~Moreover, setting additional energy efficiency requirements for light sources should lead to a decrease in the overall mercury emissions.~~
- (~~12~~11) The Commission Communication on the circular economy<sup>20</sup> and ~~on~~ the Ecodesign Working Plan 2016-2019<sup>21</sup> underline the importance of using the ecodesign framework to support the move towards more resource efficient and circular economy. Directive 2012/19/EU<sup>22</sup> of the European Parliament and of the Council refers to Directive 2009/125/EC and indicates that ecodesign requirements should facilitate the re-use, dismantling and recovery of waste of electrical and electronic equipment (WEEE) by tackling the issues upstream. The WEEE Directive ~~already sufficiently covers end-of-life aspects~~sets requirements for separate collection and recycling of lighting products. ~~Therefore this, with new provisions from August 2018. This~~ Regulation should therefore not lay down further requirements ~~contributing to recyclability~~for this.
- (~~13~~12) ~~This Regulation lays down specific~~Specific requirements for the standby and networked standby electric power demand of lighting products should be laid down. Therefore, the requirements of Commission Regulation (EC) No 1275/2008<sup>23</sup> should not apply to lighting products covered by the scope of this Regulation ~~and for which specific requirements are set.~~
- (~~14~~13) Mandatory ecodesign requirements apply to products placed on the Union market wherever they are installed or used and should therefore not be made dependent on the application in which the product is used.
- (15) ~~The ecodesign requirements should not affect functionality from the user's perspective and should not negatively affect health, safety or the environment.~~
- (~~16~~14) 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.
- (~~17~~15) ~~Measurements of the~~The relevant product parameters should be ~~performed through~~measured using reliable, accurate and reproducible ~~measurement~~ methods, ~~which~~ Those methods should take into account ~~the~~ recognised state-of-the-art measurement methods, including, where available, harmonised standards adopted by the European standardisation organisations, as listed in Annex I to Regulation (EU) No 1025/2012 of the European Parliament and of the Council<sup>24</sup>.

<sup>19</sup> [Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment \(OJ L 174, 1.7.2011, p. 88, and amendments\).](#)

<sup>20</sup> COM/2015/0614 final of 02.12/2015.

~~<sup>21</sup> COM(2016) 773 final of 30.11.2016~~

<sup>22</sup> [Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment \(OJ L 197, 24.7.2012, p. 38\).](#)

<sup>23</sup> OJ L 339, 18.12.2008, p 45

~~<sup>24</sup> OJ L 316, 14.11.2012, p. 12~~ [Regulation \(EU\) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council \(OJ L 316, 14.11.2012, p. 12\).](#)



- (~~18~~16) In accordance with Article 8 of Directive 2009/125/EC, this Regulation should specify the applicable conformity assessment procedures.
- (~~19~~17) To facilitate compliance checks, manufacturers should provide information in the technical documentation referred to in Annexes IV and V to Directive 2009/125/EC in so far as that information relates to the requirements laid down in this Regulation. The parameters of the technical documentation in accordance with this Regulation which are identical to the parameters of the product information sheet in accordance with Commission [Delegated Regulation \(EU\) ~~XXX~~\[OP please insert the references of the Regulation with regard to energy labelling of light sources\]](#) and which have been entered in the product database should no longer be included in the technical documentation of this Regulation.
- (~~20~~18) Commission Regulation (EU) 2016/2282<sup>(25)</sup> ~~amends several ecodesign implementing measures with regard to the use of tolerances in verification procedures of the measured parameters by Member State authorities. However, it did not amend the three Regulations on lighting products, but clarified that the intended use of tolerances for lighting products would be reassessed in conjunction with their review. Hence~~<sup>26</sup> ~~requires~~ [this Regulation specifies to specify](#) tolerance values for lighting parameters and ~~adopts~~[adopt](#) the approach of declared values ~~as laid down in Commission Regulation (EU) 2016/2282.~~
- (~~21~~19) To improve the effectiveness ~~and credibility~~ of ~~the~~[this](#) Regulation and to protect consumers, products that automatically alter their performance in test conditions to improve the declared parameters should be prohibited.
- (~~22~~20) In addition to the legally binding requirements laid down in this Regulation, indicative benchmarks for best available technologies should be identified to make information on ~~the life-cycle~~[products'](#) environmental performance ~~of products over their life cycle~~ subject to this Regulation widely available and easily accessible, in accordance with Directive 2009/125/EC, Annex 1, part 3, point 2.
- (~~23~~21) review of this Regulation should assess the appropriateness and effectiveness of its provisions in achieving its goals. The timing of the review should be sufficient for all provisions to be implemented and show an effect on the market.
- (~~24~~22) Regulations (EC) No 244/2009, (EC) No 245/2009 and (EU) No 1194/2012 should [therefore](#) be repealed ~~and new provisions should be laid down by this Regulation to ensure that the ecodesign requirements for lighting products continue to accelerate the market transformation towards energy efficient technologies.~~
- (~~25~~23) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19(1) of Directive 2009/125/EC,

HAS ADOPTED THIS REGULATION:

<sup>25</sup> ~~OJ L 346, 20.12.2016, p. 51.~~

<sup>26</sup> [Commission Regulation \(EU\) 2016/2282 of 30 November 2016 amending Regulations \(EC\) No 1275/2008, \(EC\) No 107/2009, \(EC\) No 278/2009, \(EC\) No 640/2009, \(EC\) No 641/2009, \(EC\) No 642/2009, \(EC\) No 643/2009, \(EU\) No 1015/2010, \(EU\) No 1016/2010, \(EU\) No 327/2011, \(EU\) No 206/2012, \(EU\) No 547/2012, \(EU\) No 932/2012, \(EU\) No 617/2013, \(EU\) No 666/2013, \(EU\) No 813/2013, \(EU\) No 814/2013, \(EU\) No 66/2014, \(EU\) No 548/2014, \(EU\) No 1253/2014, \(EU\) 2015/1095, \(EU\) 2015/1185, \(EU\) 2015/1188, \(EU\) 2015/1189 and \(EU\) 2016/2281 with regard to the use of tolerances in verification procedures \(OJ L 346, 20.12.2016, p. 51\).](#)



### 2.3 Artikel 1 – Gegenstand und Geltungsbereich ◇ Article 1 – Subject matter and scope ◇ Article premier – Objet et champ d’application

Die Änderungen umfassen einen Bezug auf die Begriffsbestimmungen im Artikel 2 sowie die Berichtigung eines veralteten Verweises.

The amendments include a reference to the definitions in Article 2 and the correction of an obsolete reference.

#### Article 1

##### Subject matter and scope

1. This Regulation establishes ecodesign requirements for the placing on the market of
  - (a) light sources;
  - (b) separate control gears
 as defined in Article 2.  
 The requirements also apply to light sources and separate control gears placed on the market in a containing product.
2. This Regulation shall not apply to light sources and separate control gears specified in Annex III, points 1 and 2.
3. Light sources and separate control gears specified in Annex III, point 3 shall comply only with the requirements of Annex II, point 3.5e.

### 2.4 Artikel 2 – Begriffsbestimmungen ◇ Article 2 – Definitions ◇ Article 2 – Définitions

Neben redaktionellen Änderungen – geänderter Wortwahl, Berichtigung veralteter Verknüpfungen und ähnlichem – fallen folgende Änderungen auf:

- Die Begriffsbestimmung 4 Hüllprodukt, engl. *containing product*, wurde etwas klarer gefaßt, ebenso die Begriffsbestimmung ALED-Kapselung, engl. *LED package* (Punkt 8<sub>neu</sub>).
  - Die Begriffsbestimmung für den Zustand Erglühen, auch Inkandescenz genannt,
- In addition to editorial changes — changed wording, correction of obsolete references and the like — the following changes stick out:
- The definition 4 containing product was made somewhat clearer, as well as the definition of LED package (point 8<sub>new</sub>).
  - The definition of incandescence in the draft of July 2018 was worded (point 11<sub>old</sub>) as meaning that incandescent light sources are either GLS (general lamp

war im Entwurf vom Juli 2018 so formuliert (Punkt 11<sub>alt</sub>), daß es sich bei den zugehörigen Lichtquellen, also bei Glühlampen, entweder um Allgebrauchs- (glüh-)lampen, engl. GLS, oder Halogen-glühlampen, engl. *halogen light source* handelt. Nun ist sie (Punkt 12<sub>neu</sub>) offener formuliert: Es ist nur noch davon die Rede, daß die Bezeichnung Glühlampen (zumindest) Allgebrauchs- und Halogen-glühlampen einschließt. Damit sind auch andere Temperaturstrahler eingeschlossen.

- Begriffsbestimmungen, die in der vorigen Fassung vom Juli 2018 zusammengefaßt worden waren, sind nun wieder getrennt:
  - Betriebsgerät, engl. *control gear*, und Netz(spannung), engl. *mains, mains voltage*; siehe die Punkte 2 sowie 6<sub>neu</sub>;
  - Erglühen, engl. *incandescence*, und Halogenglühlampe, siehe die Punkte 11<sub>alt</sub> und 13<sub>neu</sub> sowie
  - Hochdruckentladung, engl. *high intensity discharge*, und Gasentladung, engl. *gas discharge*; siehe die Punkte 13<sub>alt</sub> und 16<sub>neu</sub>.

Die Änderungen in einzelnen:

shape light sources) or halogen light sources. Now it is formulated more openly (point 12<sub>neu</sub>): It is only mentioned that the term includes GLS and halogen light sources. Thus, other thermal radiator are included, too.

- Definitions, which were summarized in the previous version of July 2018, are now separated again:
  - control gear and mains voltage; see points 2 and 6<sub>neu</sub>;
  - incandescence and halogen bulb, see points 11<sub>old</sub> and 13<sub>new</sub> as well as
  - high intensity discharge and gas discharge; see points 13<sub>old</sub> and 16<sub>new</sub>.

The changes in detail:

#### Article 2

#### Definitions

For the purpose of this Regulation ~~the definitions in Article 2 of Directive 2009/125/EC shall apply. In addition, the definitions in Annex I of this Regulation and~~ the following definitions shall apply:

- (1) 'light source' means an electrically operated product intended to emit and/or be possibly tuned to emit light with all of the following optical characteristics:
  - (c) chromaticity coordinates  $x$  and  $y$  in the range
 
$$0,270 < x < 0,530$$
 and
 
$$- 2,3172 x^2 + 2,3653 x - 0,2199 < y < - 2,3172 x^2 + 2,3653 x - 0,1595;$$
  - (d) a luminous flux  $< 500 \text{ lm per mm}^2$  of projected light-emitting surface area as defined in Annex I;

- (e) a luminous flux between 60 and 82 000 lumen;
- (f) a colour rendering index (CRI)  $R_a > 0$ ;

using incandescence, fluorescence, high-intensity discharge, inorganic light emitting diodes (LED) or organic light emitting diodes (OLED), or their combinations as lighting technology, and that can be verified as a light source according to the procedure of Annex ~~V~~ IV.

High-pressure sodium light sources that do not fulfil condition (a) are ~~anyway~~ considered light sources ~~infor~~ the ~~sense~~purposes of this Regulation.

~~For the purpose of this Regulation, the following products are not considered to be light sources:~~

Light sources do not include:

- (g) LED dies or LED chips;
  - (h) LED packages;
  - (i) products containing light source(s) from which these light source(s) can be removed for verification;
  - (j) light-emitting parts contained in a light source from which these parts cannot be removed for verification as a light source;
- (2) 'control gear' means one or more devices, ~~possibly~~that can be or not physically integrated in a light source, intended to prepare the mains ~~electricity supply~~ for the electric format required by one or more specific light sources within boundary conditions set by electric safety and electromagnetic compatibility. It may include transforming the supply and starting voltage, limiting operational and preheating current, preventing cold starting, correcting the power factor and/or reducing radio interference. ~~'Mains' or 'mains voltage' or 'mains electricity supply' (MV) means the electricity supply of 230 (±10 %) Volt of alternating current at 50 Hz.~~
- The term 'control gear' does not include power supplies within the scope of Commission Regulation (EC) No 278/2009<sup>27</sup>. The term does also not include lighting control parts and non-lighting parts (as defined in Annex I), although such parts may be physically integrated with a control gear or marketed together as a single product.
- A Power over Ethernet (PoE) switch is not a control gear in the sense of this Regulation. 'Power-over-Ethernet switch' or 'PoE switch' means equipment for power-supply and data-handling that is installed between the mains and office equipment and/or light sources for the purpose of data transfer and power supply;
- (3) 'separate control gear', means a control gear that is not physically integrated with a light source and is placed on the market as a separate product or as a part of a containing product;
  - (4) 'containing product' means a product containing one or more light sources and/or separate control gears. Examples of containing products are luminaires that can be taken apart to allow separate verification of the contained light source(s), household appliances containing light source(s), furniture (shelves, mirrors, display cabinets) containing light source(s), ~~and other products that cannot be practically verified as light source themselves, so that the contained light source(s) have to be considered.~~ If a containing product cannot be taken apart for verification of the light source and separate control gear, the entire containing product is to be considered a light source;
  - (5) 'light' means electromagnetic radiation with a wavelength between 380 nm and 780 nm;

<sup>27</sup> OJ L93, 7.4.2009, p.3.

- (6) 'mains' or 'mains voltage' (MV) means the electricity supply of 230 (±10 %) Volt of alternating current at 50 Hz;
- (67) 'LED die' or 'LED chip' means a small block of light-emitting semiconducting material on which a functional LED circuit is fabricated;
- (78) 'LED package' means a single electric part comprising principally at least one LED die. It does not include ~~(parts of)~~ a control gear, ~~does not include or parts of it,~~ a cap, active electronic components and is not connected directly to the supply/mains voltage, ~~and does not include active electronic components.~~ It is used as a part of an LED module or of an LED lamp. It can include one or more of the following: optical elements, light converters (phosphors), thermal, mechanical and electric interfaces, parts to address electrostatic discharge concerns. So called Chip-on-Board (CoB) packages, and similar light-emitting devices that are intended to be used directly in an LED luminaire, are not considered to be LED packages, but LED modules;
- (89) 'chromaticity' means the property of a colour stimulus defined by its chromaticity coordinates (x and y);
- (910) 'luminous flux' or 'flux' ( $\Phi$ ), expressed in lumen (lm), means the quantity derived from radiant flux (radiant power) by evaluating the electromagnetic radiation in accordance with the spectral sensitivity of the human eye. It refers to the total flux emitted by a light source in a solid angle of  $4\pi$  steradians under conditions (e.g. current, voltage, temperature) specified in applicable standards. It refers to the initial flux for the undimmed light source after a short operating period, unless it is clearly specified that the flux in a dimmed condition or the flux after a given period of operation is intended. For light sources that can be tuned to emit different light spectra and/or different maximum light intensities, it refers to the flux in the 'reference control settings' as defined in Annex H1;
- (1011) 'colour rendering index' (CRI) ~~is the average Ra of the colour rendering for the first 8 test colours (R1-R8) defined in standards, and~~ means the effect of an illuminant on the colour appearance of objects by conscious or subconscious comparison with their colour appearance under the reference illuminant and is the average Ra of the colour rendering for the first 8 test colours (R1-R8) defined in standards;
- (1112) 'incandescence' means a phenomenon where light is produced from heat, in light sources typically produced through a threadlike conductor ('filament') which is heated by the passage of an electric current. Incandescent light sources ~~are either~~ include GLS – general lamp shape light sources ~~or~~ and halogen light sources;
- (13) 'halogen light source' means an incandescent light source with a threadlike conductor made from tungsten surrounded by gas containing halogens or halogen compounds;
- (1214) 'fluorescence' or 'fluorescent light source' (FL) means the phenomenon or a light source using an electric gas discharge of the low-pressure mercury type in which most of the light is emitted by one or more layers of phosphors excited by the ultraviolet radiation from the discharge. Fluorescent light sources may have one ('single-capped') or two ('double-capped') connections ('caps') to their electricity supply. For the purposes of this Regulation, magnetic induction light sources are also considered as fluorescent light sources;
- (1315) 'high intensity discharge' (HID) means an electric gas discharge in which the light-producing arc is stabilised by wall temperature and the arc chamber has a bulb wall loading in excess of 3 Watts per square centimetre. HID light sources are limited to metal halide, high-pressure sodium and mercury vapour types as defined in Annex I;
- (16) 'gas discharge' means a phenomenon where light is produced, directly or indirectly, by an electric discharge through a gas, plasma, metal vapour or mixture of gases and vapours. ~~For the purpose of this Regulation, HID light sources are limited to metal halide, high-pressure sodium and mercury vapour types as defined in Annex I;~~

- (~~14~~17) 'inorganic light emitting diode' (LED) means a technology in which light is produced from a solid state device embodying a p-n junction of inorganic material. The junction emits optical radiation when excited by an electric current;
- (~~15~~18) 'organic light emitting diode' (OLED) means a technology in which light is produced from a solid state device embodying a p-n junction of organic material. The junction emits optical radiation when excited by an electric current;
- (~~16~~19) 'high-pressure sodium light source' (HPS) means a high intensity discharge light source in which the light is produced mainly by radiation from sodium vapour operating at a partial pressure of the order of 10 kilopascals. HPS light sources may have one ('single-ended') or two ('double-ended') connectors to their electricity supply.

[For the purposes of the Annexes, additional definitions are set out in Annex I.](#)

## 2.5 Artikel 3 – Anforderungen zur umweltgerechten Produktgestaltung ◇ Article 3 – Ecodesign requirements ◇ Article 3 – Exigences d'écoconception

Keine wesentlichen Änderungen.

No significant changes.

### *Article 3*

#### **Ecodesign requirements**

Products within the scope of this Regulation shall comply with the eco-design requirements set out in Annex II ~~from the dates indicated therein.~~

## 2.6 Artikel 4 – Ausbaubarkeit von Lichtquellen und getrennten Betriebsgeräten ◇ Article 4 – Removal of light sources and separate control gears ◇ Article 4

Hier gibt es zwei Änderungen:

- Der Entwurf vom Juli 2018 sah für Anbieter von Hüllprodukten die Pflicht vor, sicherzustellen, daß Lichtquellen und getrennte Betriebsgeräte durch Marktaufsichtsbehörden zu Prüfzwecken aus diesen Produkte ausgebaut werden können,

There are two changes here:

- The draft of July 2018 made it obligatory for manufacturers and importers of containing products to ensure that light sources and separate control gears can be removed without being permanently damaged for verification purposes by market surveillance authorities. In

ohne daß die ausgebauten Produkte dauerhaft beschädigt werden. Außerdem sollten auf Anfrage hin Anleitungen für einen schadenslosen Ausbau zur Verfügung stehen. Das gleiche galt für die Hüllprodukte. Mit dem Wortlaut in dem neuen Entwurf entfällt die Pflicht, eine Beschädigung der Hüllprodukte zu vermeiden.

- Bei den Informationen darüber, ob eine Lichtquelle oder ein Betriebsgerät durch einen Endnutzer und/oder eine qualifizierte Personen ohne dauerhafte Beschädigung des Hüllproduktes ausgebaut oder nicht ausgebaut werden kann, sieht der neue Entwurf eine etwas erweiterte Pflicht vor: Diese Informationen sollen sich auch in den Benutzerhinweisen befinden.

addition, instructions should be available on request on how light sources and separate control gears can be removed for without these being permanently damaged. The same should apply concerning containing products. The wording in the new draft eliminates the obligation to avoid damaging the containing products.

- Concerning information about the replaceability or non-replaceability of light sources and control gears by end-users or qualified persons without permanent damage to the containing product, the new draft stipulates a somewhat extended obligation: This information must also appear in the user instructions.

#### Article 4

##### Removal of light sources and separate control gears

1. Manufacturers and importers of containing products shall ensure that light sources and separate control gears can be removed without being permanently damaged for verification purposes by market surveillance authorities ~~and without permanent damage to the containing product~~. For containing products, instructions ~~should~~ shall be available on request on how light sources and separate control gears can be removed for verification without these being permanently damaged ~~and without permanent damage to the containing product~~.
2. Manufacturers and importers of containing products shall ensure that light sources and separate control gears can be dismantled from containing products at end of life. Instructions shall be available on request.
3. Manufacturers and importers of containing products shall provide information about the replaceability or non-replaceability of light sources and control gears by end-users or qualified persons without permanent damage to the containing product. Such information shall be available on free-access websites. For products sold directly to end-users, this information shall be on the packaging, at least in the form of a pictogram, and in the user instructions.

Anmerkung des Herausgebers: In dem englischsprachigen Text ist im 3. Punkt von

Editor's note: In point 3 on one hand the wording is "replaceability" and on the other

„replaceability“ die Rede, was man mit Austauschbarkeit und Ersetzbarkeit übersetzen kann. Gleichzeitig ist aber von einem Austausch/Ersatz ohne dauerhafte Beschädigung des Hüllproduktes die Rede. Wird beim Ausbau beispielsweise einer defekten Lichtquelle das Hüllprodukt, also zum Beispiel die Leuchte, dauerhaft beschädigt, ist der Einbau einer funktionsfähigen Lichtquelle sinnlos; ein echter Austausch ist nicht möglich. Insofern ist fraglich, ob der Wortlaut auf einen Austausch oder doch auf einen Ausbau zielt.

hand “without permanent damage to the containing product”. If the removal of for example, a defective light source leads to permanent damage of the containing product, for example the luminaire, inserting a functioning light source is useless. That means: a real replacement is not possible. In this respect, it is questionable whether the wording aims at a replacement or just to a removal.

## 2.7 Artikel 5 – Konformitätsbewertung ◊ Article 5 – Conformity assessment ◊ Article 5 – Évaluation de la conformité

Hier wurde ergänzt, daß für die Bewertung der Konformität eines Produktes die Technikerunterlagen bestimmte im Anhang II genannte Informationen enthalten müssen (Punkte 1, 2 und 3(d)).

It was added that for the purposes of the conformity assessment, the technical documentation must contain certain information as set out in Annex II (points 1, 2 and 3(d)).

### Article 5

#### Conformity assessment

1. The conformity assessment procedure referred to in Article 8 of Directive 2009/125/EC shall be the internal design control system set out in Annex IV to that Directive or the management system set out in Annex V to that Directive.
2. For the purposes of the conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation shall contain the information set out in Annex II, point 3(d) to this Regulation and the results of the calculations in accordance with Annex II, points 1 and 2 to this Regulation.
- ~~2.~~3. Where the information included in the technical documentation for a particular model has been obtained by calculation on the basis of design, or extrapolation from another model, or both, the technical documentation shall include details of such calculations or extrapolations, or both, and of tests carried out by manufacturers to verify the accuracy of the calculations undertaken.



## 2.8 Artikel 6 – Nachprüfungsverfahren zur Marktaufsicht ◇ Article 6 – Verification procedure for market surveillance purposes ◇ Article 6 – Procédure de vérification aux fins de la surveillance du marché

Hier gab es nur kleine redaktionelle Änderungen, die hier nicht angezeigt werden.

There are only small editorial changes that are not displayed here.

### Article 6

#### Verification procedure for market surveillance purposes

Member States shall apply the verification procedure laid down in Annex IV to this Regulation when performing the market surveillance checks referred to in Article 3(2) of Directive 2009/125/EC.

## 2.9 Artikel 7 – Regelungsumgehung ◇ Article 7 – Circumvention ◇ Article 7 – Contournement

Festgelegt ist hier nach wie vor, daß Produkte nicht so ausgelegt sein dürfen, daß ihre Leistung unter Prüfbedingungen automatisch geändert wird, um ein günstigeres Niveau für einen der Parameter zu erreichen, den der Hersteller in den Technikutunterlagen oder sonstigen mit dem Produkt gelieferten Unterlagen angegeben hat. Außerdem darf nach einer Programmauffrischung der Stromverbrauch nur mit ausdrücklicher Zustimmung des Endbenutzers steigen. Der neue Entwurf sieht aber vor, daß diese Zustimmung vor der Programmauffrischung abzufragen ist/erfolgen müßte.

It is still specified that products should not be designed in such a way that a model's performance is automatically altered under test conditions in order to achieve a more favorable level for one of the parameters specified by the manufacturer in the technical documentation or other documentation supplied with the product. In addition, after updating a software or firmware, the power consumption may increase only with explicit consent of the end-user. The new draft stipulates that this approval must be requested before the update.

### Article 7

#### Circumvention

The manufacturer or importer shall not place on the market products ~~that have been~~ designed ~~so~~ in such a way that a model's performance is automatically altered under test conditions with the objective aim of reaching a more favourable level for any of the parameters declared by the



manufacturer in the technical documentation or included in any of the documentation provided with the product.

~~Where applicable, the~~The power consumption of the product shall not increase after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update.

## 2.10 Artikel 8 – Unverbindliche Richtwerte $\diamond$ Article 8 – Indicative benchmarks $\diamond$ Article 8 – Critères de référence indicatifs

Keine Änderungen.

No changes.

### Article 8

#### Indicative benchmarks

The indicative benchmarks for the best-performing products and technologies available on the market at the time of adopting this Regulation are set out in Annex VI.

## 2.11 Artikel 9 – Überprüfung $\diamond$ Article 9 – Review $\diamond$ Article 9 – Révision

Keine wesentlichen Änderungen.

No significant changes.

### Article 9

#### ~~Evaluation~~Review

The Commission shall ~~assess~~review this Regulation in the light of technological progress and shall present the results of this ~~assessment~~review, including, if appropriate, a draft revision proposal, to the Consultation Forum no later than ~~[OP – please insert date - five~~ years after its entry into force~~].~~

This ~~assessment~~review shall ~~review the requirements in the light of the technological progress and shall address~~ in particular assess:

- (b) setting more stringent energy efficiency requirements for all light source types, in particular for non-LED light source types, and for separate control gears;
- (c) setting requirements on lighting control parts;
- (d) setting more stringent requirements on flicker and stroboscopic effects;
- (e) setting requirements on dimming, including the interaction with flicker;

DE	EN   FR (première traduction)
(f)	setting more stringent requirements on (networked) standby power;
(g)	lowering or abolishing the power bonus for colour-tuneable light sources and removing the exemption for high colour purity;
(h)	substituting the CRI colour rendering metric by a more adequate metric;
(i)	verifying the adequacy of lumen as a stand-alone metric for the quantity of visible light;
(j)	setting additional resource efficiency requirements for products in accordance with the principles of the circular economy.

## 2.12 Artikel 10 – Aufhebung ◇ Article 10 – Repeal ◇ Article 10 – Abrogation

Keine wesentlichen Änderungen.

No significant changes.

<p><i>Article 10</i></p> <p><b>Repeal</b></p> <p>Regulations (EC) No 244/2009, (EC) No 245/2009 and (EU) No 1194/2012 are repealed with effect from <del>31 August</del> <u>1 September</u> 2021.</p>
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## 2.13 Artikel 11 – Inkrafttreten und Geltung ◇ Article 11 – Entry into force and application ◇ Article 11 – Entrée en vigueur et application

Keine wesentlichen Änderungen.

No significant changes.

<p><i>Article 11</i></p> <p><b>Entry into force and application</b></p> <p><del>1-</del> This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p><del>2-</del> It shall apply from 1 September 2021.</p>
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## A Anhang ◊ Annex ◊ Annexe

### A.1 Bezugsquellen für Dokumente, auf die im vorliegenden Text verwiesen wird ◊ Sources of supply for documents referred to in the text at hand ◊ Sources de référence pour les documents auxquels il est fait référence dans le présent texte

#### A.1.1 Bestehende Verordnungen ◊ Existing regulations ◊ Règlements existants

##### A.1.1.1 Verordnungen zu Beleuchtungsprodukten ◊ Regulations on lighting products ◊ Règlements concernant produits d'éclairage

###### A.1.1.1.1 Produktgestaltung ◊ Product Design ◊ Conception des produits

#### 244/2009

**DE:** „Verordnung (EG) Nr. 244/2009 der Kommission vom 18. März 2009 zur Durchführung der Richtlinie 2005/32/EG des Europäischen Parlamentes und des Rates im Hinblick auf die Festlegung von Anforderungen an die umweltgerechte Gestaltung von Haushaltslampen mit ungebündeltem Licht“

**EN:** “Commission Regulation (EC) No 244/2009 of 18 March 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for non-directional household lamps”

**FR :** « Règlement (CE) n o 244/2009 de la Commission du 18 mars 2009 mettant en œuvre la directive 2005/32/CE du Parlement européen et du Conseil en ce qui concerne les exigences relatives à l'écoconception des lampes à usage domestique non dirigées »

**DE:** [http://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_V0\\_0244\\_2009\\_EG\\_DE.pdf](http://www.eup-network.de/fileadmin/user_upload/Lichtquellen_V0_0244_2009_EG_DE.pdf)

**EN:** The text of the regulation in another official language than German may be downloaded under ...

**FR :** Le texte du règlement dans une autre langue officielle que l'allemand peut être téléchargé sous ...

BG, CS, DA, EL, EN, ES, ...: <http://eur-lex.europa.eu/legal-content/DE/ALL/?uri=CELEX:32009R0244>

#### 245/2009

**DE:** „Verordnung (EG) Nr. 245/2009 der Kommission vom 18. März 2009 zur Durchführung der Richtlinie 2005/32/EG des Europäischen Parlamentes und des Rates im Hinblick auf die Festlegung von Anforderungen an die umweltgerechte Gestaltung von Leuchtstofflampen ohne eingebautes Vorschaltgerät, Hochdruckentladungslampen sowie Vorschaltgeräte und Leuchten zu ihrem Betrieb und zur Aufhebung der Richtlinie 2000/55/EG des Europäischen Parlamentes und des Rates“

**EN:** “Commission Regulation (EC) No 245/2009 of 18 March 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to

ecodesign requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaires able to operate such lamps, and repealing Directive 2000/55/EC of the European Parliament and of the Council”

**FR** : « Règlement (CE) n o 245/2009 de la Commission du 18 mars 2009 mettant en œuvre la directive 2005/32/CE du Parlement européen et du Conseil en ce qui concerne les exigences en matière d'écoconception applicables aux lampes fluorescentes sans ballast intégré, aux lampes à décharge à haute intensité, ainsi qu'aux ballasts et aux luminaires qui peuvent faire fonctionner ces lampes, et abrogeant la directive 2000/55/CE du Parlement européen et du Conseil »

**DE**: [http://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_V0\\_0245\\_2009\\_EG\\_DE.pdf](http://www.eup-network.de/fileadmin/user_upload/Lichtquellen_V0_0245_2009_EG_DE.pdf)

**EN**: The text of the regulation in another official language than German may be downloaded under ...

**FR** : Le texte du règlement dans une autre langue officielle que l'allemand peut être téléchargé sous ...

**BG, CS, DA, ...**: <https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:02009R0245-20100413>

## 1194/2012

**DE**: „Verordnung (EU) Nr. 1194/2012 der Kommission vom 12. Dezember 2012 zur Durchführung der Richtlinie 2009/125/EG des Europäischen Parlamentes und des Rates im Hinblick auf die Anforderungen an die umweltgerechte Gestaltung von Lampen mit gebündeltem Licht, LED-Lampen und dazugehörigen Geräten“

**EN**: “Commission Regulation (EU) No 1194/2012 of 12 December 2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for directional lamps, light emitting diode lamps and related equipment”

**FR** : « Règlement (UE) n o 1194/2012 de la Commission du 12 décembre 2012 portant application de la directive 2009/125/CE du Parlement européen et du Conseil en ce qui concerne les exigences relatives à l'écoconception des lampes dirigées, des lampes à diodes électroluminescentes et des équipements correspondants »

**DE**: [http://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_V0\\_1194\\_2012\\_EU\\_DE.pdf](http://www.eup-network.de/fileadmin/user_upload/Lichtquellen_V0_1194_2012_EU_DE.pdf)

**EN**: The text of the regulation in another official language than German may be downloaded under ...

**FR** : Le texte du règlement dans une autre langue officielle que l'allemand peut être téléchargé sous ...

**BG, CS, DA, EL, EN, ...**: <http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A32012R1194>

### **A.1.3 Konsultationsforum am 7. Dezember 2017** ◇ **Consultations Forum on 7 December 2017** ◇ **Forum consultative du 7 décembre 2017**

#### **A.1.3.1 Vorträge und Hintergrundinformationen** ◇ **Presentations and background information** ◇ **Exposés et informations de fond**

**DE:** Vortrag von Herrn Leo Wierda, Van Holsteijn en Kemna

**EN:** Presentation by Mr. Leo Wierda, Van Holsteijn en Kemna

**FR :** Exposé de M. Leo Wierda, Van Holsteijn en Kemna

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_Konsultationsforum\\_12\\_2017\\_Vortrag\\_Wierda.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_Konsultationsforum_12_2017_Vortrag_Wierda.pdf)

**DE:** Vortrag von Frau Orsola Mautone, EU-Kommission

**EN:** Presentation by Mrs. Orsola Mautone, EU Commission

**FR :** Exposé de Mme. Orsola Mautone, Commission européenne

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_Konsultationsforum\\_12\\_2017\\_Vortrag\\_Mautone.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_Konsultationsforum_12_2017_Vortrag_Mautone.pdf)

**DE:** Vortrag von Frau Ourania Georgoutsakou, Lighting Europe

**EN:** Presentation by Mrs. Ourania Georgoutsakou, Lighting Europe

**FR :** Exposé de Mme. Ourania Georgoutsakou, Lighting Europe

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_Konsultationsforum\\_12\\_2017\\_Vortrag\\_Georgoutsakou.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_Konsultationsforum_12_2017_Vortrag_Georgoutsakou.pdf)

**DE:** Vortrag von Herrn Michael Scholand, CLASP (der Vortrag konnte aus Zeitgründen nicht mehr gehalten werden)

**EN:** Presentation by Mr. Michael Scholand, CLASP (due to lack of time, the presentation could not been held)

**FR :** Exposé de M. Michael Scholand, CLASP (faute de temps l'exposé n'a pas été donné)

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_Konsultationsforum\\_12\\_2017\\_Vortrag\\_Scholand.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_Konsultationsforum_12_2017_Vortrag_Scholand.pdf)

**A.1.4 Entwürfe der EU-Kommission vom 3. Juli 2018** ◇ **EU Commission's drafts of 3 July 2018** ◇ **Projets de la Commission européenne du 3 juillet 2018**

**Entwurf für Anforderungen an die Produktgestaltung** ◇ **EN:** Draft for product design ◇ **FR :** Projet d'exigences de la conception des produits

**DE:** Haupttext ◇ **EN:** main text ◇ **FR :** Texte principal

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_07\\_03\\_PG\\_Haupttext.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_07_03_PG_Haupttext.pdf)

**DE:** Anhang ◇ **EN:** Annex ◇ **FR :** Annexe

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_07\\_03\\_PG\\_Anhang.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_07_03_PG_Anhang.pdf)

**Entwurf für Anforderungen an die Produktinformation** ◇ **EN:** Draft for product information ◇ **FR :** Projet d'exigences en matière d'information sur le produit

**DE:** Haupttext ◇ **EN:** main text ◇ **FR :** Texte principal

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_07\\_03\\_PI\\_Haupttext.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_07_03_PI_Haupttext.pdf)

**DE:** Anhang ◇ **EN:** Annex ◇ **FR :** Annexe

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_07\\_03\\_PI\\_Anhang.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_07_03_PI_Anhang.pdf)

### **A.1.5 Entwürfe der EU-Kommission vom 8. Oktober 2018** ◇ **EU Commission's drafts of 8 October 2018** ◇ **Projets de la Commission européenne du 8 octobre 2018**

**Entwurf für Anforderungen an die Produktgestaltung** ◇ **EN:** Draft for product design ◇ **FR :** Projet d'exigences de la conception des produits

**DE:** WHO-Notifizierungsformular <sup>[28]</sup> ◇ **EN:** WTO-Notification <sup>[28]</sup> ◇ **FR :** Document de notification à l'OMC <sup>[28]</sup>

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_10\\_08\\_PG\\_WHO.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_10_08_PG_WHO.pdf)

**DE:** Haupttext ◇ **EN:** main text ◇ **FR :** Texte principal

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_10\\_08\\_PG\\_Haupttext.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_10_08_PG_Haupttext.pdf)

**DE:** Anhang ◇ **EN:** Annex ◇ **FR :** Annexe

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_10\\_08\\_PG\\_Anhang.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_10_08_PG_Anhang.pdf)

**Entwurf für Anforderungen an die Produktinformation** ◇ **EN:** Draft for product information ◇ **FR :** Projet d'exigences en matière d'information sur le produit

**DE:** WHO-Notifizierungsformular ◇ **EN:** WTO- Notification <sup>[28]</sup> ◇ **FR :** Document de notification à l'OMC <sup>[28]</sup>

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_10\\_08\\_PI\\_WHO.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_10_08_PI_WHO.pdf)

**DE:** Haupttext ◇ **EN:** main text ◇ **FR :** Texte principal

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_10\\_08\\_PG\\_WHO.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_10_08_PG_WHO.pdf)

**DE:** Anhang ◇ **EN:** Annex ◇ **FR :** Annexe

[https://www.eup-network.de/fileadmin/user\\_upload/Lichtquellen\\_EK\\_2018\\_10\\_08\\_Pi\\_Anhang.pdf](https://www.eup-network.de/fileadmin/user_upload/Lichtquellen_EK_2018_10_08_Pi_Anhang.pdf)

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<sup>28</sup> WHO = Welthandelsorganisation ... ◇ **EN:** WTO = World Trade Organisation ... ◇ **FR :** OMC = Organisation mondiale du commerce; <https://www.wto.org/>

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<https://www.umweltbundesamt.de/themen/klima-energie/energiesparen/licht>