Texte zu den geplanten neuen EU-Regelungen zur umweltgerechten Produktgestaltung und zur Energieverbrauchskennzeichnung in der Beleuchtung – Zusammenstellung * des Umweltbundesamtes (UBA), Deutschland

Entwürfe der EU-Kommission vom 6. November 2015

Stellungnahme Österreichs vom März 2016

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 * of the Federal Environment Agency (UBA), Germany

The EU Commission's drafts of 6 November 2015

Comments by Austria as of March 2016

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

Les projets de la Commission Européenne du 6 novembre 2015

Commentaires de l'Autriche de mars 2016

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

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* http://www.eup-network.de/de/eup-netzwerk-deutschland/offenes-forum-eu-regelungen-beleuchtung/dokumente/texte/

Es folgt ein unveränderter Originaltext.

EN: The following is an unmodified original text.

FR: Ce qui suit est un texte original.

AUSTRIAN ENERGY AGENCY

Austrian preliminary Position on preliminary draft for COMMISSION REGULATION (EU) …/…of XXX implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to eco-design requirements for lighting products

Summary of comments

The central comments concerning the preliminary draft document are summarized as follows:

- The existing lighting regulations cannot be consolidated in one single regulation as this would cause a high complexity and the need for a strong segmentation of the regulation document. The simplification proposed in the current draft does not meet market and technology requirements. At minimum two regulations will be needed to appropriately address the technologies. Alternatively a new single regulation would need to be segmented for different technologies. The draft already shows that is not possible to adequately address very different technologies like halogen lamps, discharge lamps and LEDs with the same efficiency requirements. This will lead to too stringent requirements on the one hand and too soft requirements on the other, eventually even leading to completely undesirable effects like the reintroduction of already phased out product types.

- The complete phase-out of the halogen lamp technology in 2018 and most of the discharge lamp technology in 2024 cannot be accepted. Any far reaching phase-out of technologies has to be done very carefully based on comprehensive justification. A further phase-out of halogen lamp types must follow an appropriate timing based on availability of fully adequate replacement lamps. For example there is no justification for a fast phase-out of highly efficient HPS lamps which serve as a valuable alternative technology to LED for outdoor lighting.

- A third tier for 2024 is not acceptable since such a long-term market and technology forecast is not possible. The new regulation should not go beyond 2021/2022.

- The treatment of luminaires as lighting system components is not clear. Ecodesign requirements should only address luminaires for LED lighting as the central future technology which covers both products with replaceable and non-replaceable LED modules. Industry has already proposed a bonus concept to make requirements for LED-luminaires with integrated modules comparable to bare modules.

- Overall technical definitions in the regulation must be done based on definitions in the applicable standards. An introduction of definitions which do not correspond with the

definitions in the standards must be avoided. The current definitions furthermore include several mistakes (e.g. “alternative” current etc.).

- While we strongly support cost efficient test procedures, some of the proposed new functional requirements would require new accelerated endurance testing at higher temperature. The proposed testing procedures are not applicable in the same way for the different technologies and still lack a sound scientific basis. Strong efforts should be put in providing this basis so that the proposed approach becomes viable.

- It must be avoided that classes A and B of the label remain empty for a long time period. If this were case the main driver “A-class” would be missing and buyers probably would not care very much whether a product is C-class or only D. Furthermore buyers will not understand why there are alternating periods with and without A/B class available.

- Additional measures to improve market surveillance for existing regulations shall be set prior or in parallel to the development of new regulations. It is not acceptable that market surveillance for existing legislation falls behind the development of new regulations. In this respect the still incomplete phase-out of the standard incandescent lamps shall be further supported and finalised before next steps concerning halogen lamps are considered.

Comments on eco-design requirements

Scope and general aspects of the new potential regulation

The preliminary draft document proposes a consolidation of the already existing regulations in one new regulation. This approach intends to make legislation for lighting clearer and more efficient.

While the basic intention of consolidating the existing three eco-design regulations for lighting is understandable, we don’t see how the complex field of different technologies covering different applications in the domestic, tertiary and industrial sector could be covered by one single regulation. A one regulation approach automatically would require a strong segmentation of requirements for different technologies making the single regulation document quite complex. A consolidation of the existing regulations into two regulations should be feasible but requires a thought-out approach.

The preliminary draft concept proposes a highly oversimplified approach which does not adequately meet market and technology demands. It is for example not feasible to define the same efficiency requirements (as well as some other functional requirements) for all different technologies like halogen lamps, discharge lamps and LED lamps. This will automatically lead to a situation where requirements are too stringent on the one hand and too soft on the other, eventually even leading also to undesired situations where products which already were phased out in the past are reintroduced to the market.

We therefore recommend not covering all lighting products in a single regulation, as this would lead to high complexity. Alternatively if a single regulation approach were maintained, segmentation of the document according to technologies would be necessary. Even within two such regulations some further segmentation of requirements clearly will be needed. Overall it is recommended to separate requirements for LED technology and other standard lighting technologies, as innovation in the LED-sector is still very dynamic.

Ecodesign requirements

Basic efficiency requirements

The preliminary draft concept suggests the same efficacy requirements for all lamp technologies and lamp types. This simple approach however does not appropriately address market requirements and technology development. It will bring about undesired negative effects. The main effects of the unified and simplified requirements would be

- a complete phase-out of the halogen lamp technology in 2018
- a predominant phase-out of all discharge lamps in 2024.
- Overall partly too stringent and at the same time too soft requirements for some product groups, potentially leading also to a reintroduction of already out-phased products.

These comprehensive phase-out steps are not justified for the specific dates indicated and cannot be accepted. Any phase-out of lamp types or technologies must be based on profound justification, making sure that for all no longer existing lamp types and technologies replacement products are available on the market, providing the same functionality, quality, life cycle costs and a better eco-efficiency. On the other hand it would not be acceptable to reintroduce currently non-compliant lamp types due to inadequate oversimplified uniform requirements.

Concerning the proposed phase-out steps the following implications need to be considered and avoided:

- **Complete phase-out of halogen lamps in 2018:** The regulation would phase-out all halogen lamps currently available on the market. Thus in addition to the current phase-out steps already defined in existing regulations all low voltage lamps and lamps with special sockets (R7s and G9) would be phased-out.
  While a stepwise phase-out of the halogen lamp technology basically is justified in the long-term due to the very low efficiency of the technology, the appropriate timing is absolutely critical. For a number of lamp types and lighting applications LED does not yet provide adequate replacement products in terms of high lumen output, lamp size and control options. Thus phase-out steps must be considered with care and shall not be decided before the relevant replacement products are available.

- **Phase-out of low pressure and high pressure discharge lamps by 2024**: Tier 2 and 3 would propose a successive and finally rather comprehensive phase-out of the discharge lamp technology. Such a far reaching technology phase-out is undesirable and in any case would require an in depth study of potential negative effects. It has to be considered that the LED technology available today is not appropriate for all types of applications (e.g. high temperature applications). HPS-Lamps for example are highly efficient and should not be removed from the market before a full range of adequate replacement lamps will be available for any type of application. A stepwise phase-out of some less efficient low pressure and high pressure mercury lamp types may be justified, however also here the timing is critical and should be optimised. Overall full dependency on LED as the only remaining lighting technology bears some risks and should be avoided for the moment respectively decided at a later stage when LED has proven to be the optimum solution for any type of application and

potential side effects of the technology (environmental, health etc.) have been comprehensively investigated and can be precluded.

Overall it is not acceptable to set goals for eco-design requirements over a period of 8 years (2024), as long-term market and technology development is too difficult to predict in particular concerning LED technology. The timeframe for a new regulation should not go beyond 2021 or 2022.

Functional requirements and information requirements

The energy efficiency requirements proposed in the preliminary draft document are based on “rated luminous flux” whereas information requirements are based on “useful luminous flux”. The basis for luminous flux declaration needs to be reconsidered and clarified.

Current energy efficiency requirements do not appropriately distinguish different levels of product integration. As a consequence the requirements are the same for bare light sources excluding ballasts, for lamps with integrated ballasts and for luminaires with integrated non-replaceable light modules. This is not acceptable as for every level of product integration additional losses are to be considered.

The proposed functional requirements can only be assessed at a later stage after the scope and segmentation of the new regulations has been further clarified.

Several new functionality requirements are based on a new type of endurance testing which includes temperature cycling and a high temperature life time test. These new parameters and testing approach cannot be accepted respectively requires additional in depth analysis. The proposed approach is based on the assumption that an accelerated life-time test can be accomplished in a similar way for all relevant lamp technologies. This is not the case. Furthermore the testing procedures must be feasible for labs of market surveillance authorities. Thus a reconsideration and revision of the concept will be necessary.

Requirements concerning luminaires

Requirements for luminaires should only be set for LED lighting technology which is the main technology of the future. Requirements should cover both luminaires with exchangeable LED modules and luminaires with completely integrated LED modules. The requirements need to be clear and adequate. Options for such an approach are already prepared by industry. Luminaires for traditional lighting technologies have not been addressed by eco-design requirements in the past and therefore a sound basis for setting requirements is missing.

Definitions

The various definitions provided in several sections of the document include several mistakes and are partly misleading. Overall all definitions should be integrated in one single section of the document. Definitions should as far as possible follow the relevant standards. Development of new not established definitions shall be avoided wherever possible. Definitions in Article 2(10) and Annex I partly require revision and correction.

Comments on labelling requirements

The concept for the labelling classes needs to be reconsidered and revised.

First of all the table does not indicate a concrete efficiency range for class G. This has to be added.

It must to be insured that “B-Class” and “A-class” are populated by products in the near future. The main driver in a labelling scheme for the buyer is the “A-class”. If the consumer does not find any A-class or B-class products on the market it is unlikely that the label will play a major role for the buying decision. Has the attractiveness of a label that provides only C-class as the best products been studied by EC?

An ideal consumer oriented labelling scheme clearly would provide a stable classification system A-G where all classes are populated by some products at any time. A scheme where “A-class products” are available for some time but not available at later stages is very difficult to explain to the buyer. Starting at C-class level in fact may be appropriate for products where no labelling existed before, respectively where new labelling is introduced but is less appropriate for an already existing label. An alternating approach for already labelled products involving switching between periods with “A/B-class populated” and A/B class not populated” seems very difficult to communicate.

Market surveillance

The development and implementation of eco-design and labelling legislation must go hand in hand with appropriate measures ensuring adequate market surveillance. The first measure to be considered should be the limitation and reduction of testing costs, thus enabling more controls within the limited budgets of authorities. This can be achieved by requiring standardisation bodies to provide a breakdown of testing costs, and possible options when developing new or revised standards. Furthermore, the one plus three rule for authorities requiring three more samples to be tested in case the first fails needs to dropped immediately.

Although market surveillance measures are within the responsibility of EU Member-States, a suitable framework has to be supported at the level of EU-legislation to avoid disproportionate effort for measures. In this respect a sales ban could be stipulated in the Ecodesign framework directive as an option for selected product groups, provided adequate transitional periods are foreseen.

Such an option for example would make sense for lighting products like standard incandescent lamps which have been completely phased-out from the market in 2012 but are still available in many countries today. Retailers partly claim that huge stocks were built during the phase-out-stage and are still available today. Such unlimited sales over years after legislation implementation can only be effectively addressed respectively stopped by a sales ban.