Texte zu den geplanten neuen EU-Regelungen zur umweltgerechten Produktgestaltung und zur Energieverbrauchskennzeichnung in der Beleuchtung – Zusammenstellung [1] des Umweltbundesamtes (UBA), Deutschland

Entwürfe der EU-Kommission vom 8. Oktober 2018

Stellungnahme der Organisation CLASP [2] vom November 2018

– Produktinformation –

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 [1] of the Federal Environment Agency (UBA), Germany

The EU Commission's drafts of 8 October 2018

Comments by CLASP [2] as of November 2018

– Product information –

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

Les projets de la Commission Européenne du 8 octobre 2018

Commentaires de l'organisation CLASP [2] du novembre 2018

– Informations relatives au produit –

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

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

[2] CLASP = Collaborative Labeling and Appliance Standards Program; http://www.clasp.ngo

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Texte im Offenen Forum (**abc** = vorliegender Text)

- **Bestehende EG- und EU-Regelungen**
- **Studien der EU-Kommission**
- **Regelungsentwürfe**
  - Frühere Entwürfe
  - **EK-Entwürfe vom Oktober 2018 für die WHO-Notifizierung**
    - EK-Texte
    - Arbeitshilfen/Hintergrundtexte
    - **Stellungnahmen**
      - **CLASP**
        - Produktgestaltung (9. November 2018)
        - **Produktinformation (6. November 2018)**
      - Andere
  - EK-Entwürfe vom November 2018 für den Regelungsausschuß zur Produktgestaltung und das Fachgespräch zur Produktinformation
  - Entwürfe vom Dezember 2018 von Regelungsausschuß und Fachgespräch
  - Entwürfe vom Januar/Februar 2019
  - Entwürfe vom März 2019
- **Öffentliche Konsultationen auf EU-Ebene**
- **Diskussion im Offenen Forum**
- **Weitere Dokumente**

Abkürzungen: ● CLASP = Collaborative Labeling and Appliance Standards Program, USA (Kooperationsprogramm für Kennzeichnungs- und Gerätestandards) https://clasp.ngo/ ● EG = Europäische Gemeinschaft ● EU = Europäische Union ● WHO = Welthandelsorganisation

EN

Documents in the Open Forum (**abc** = text at hand)

- **Existing EC and EU Regulations**
- **Studies of the European Commission**
- **Draft regulations**
  - Earlier drafts
  - **EU Commission's drafts of October 2018 for WTO Notification**
    - Texts of the European Commission
    - Work aid/Background information
    - **Comments**
      - **CLASP**
        - Product design (9 November 2018)
        - **Product information (6 November 2018)**
      - Others
  - EU Commission's drafts of November 2018 for the Regulatory Committee on ecodesign and for the Technical Expert Meeting on energy labelling
  - Drafts of December 2018 from Regulatory Committee and Technical Expert Meeting
  - Drafts of January/February 2018
  - Drafts of March 2018
- **Public Consultations at EU level**
- **Discussion in the Open Forum**
- **Further documents**

Abbreviations: ● CLASP = Collaborative Labeling and Appliance Standards Program, USA; https://clasp.ngo/
● EC = European Communities ● EU = European Union ● WTO = World Trade Organisation

FR

Documents dans le forum ouvert (**abc** = présent document)

- **Règlements existants de la CE et de l'EU**
- **Études de la Commission européenne**
- **Projets de règlements**
  - Projets antérieurs
  - **Projets de la Commission Europ. d'octobre 2018 pour la notification à l'OMC**
    - Textes de la Commission européenne
    - Aide de travail/Informations de fond
    - **Commentaires**
      - **CLASP**
        - Conception des produits (9 novembre 2018)
        - **Informations relatives aux produits (6 novembre 2018)**
      - Autres
  - Projets de la Commission Européenne du novembre 2018 pour le comité de réglementation sur écoconception et pour la réunion d'experts technique sur étiquetage énergétique
  - Projets du décembre 2018 du comité de réglementation et de la réunion d'experts technique
  - Projets du janvier / février 2019
  - Projets du mars 2019
- **Consultations publiques au niveau de l'UE**
- **Discussion dans le Forum Ouvert**
- **Autres documents**

Abréviations : ● CE = Communauté européenne ● CLASP = Collaborative Labeling and Appliance Standards Program, États-Unis (Programme de coopération pour les normes d'étiquetage et les normes relatives aux dispositifs) https://clasp.ngo/ ● UE = Union européenne ● OMC = Organisation mondiale du commerce

Es folgt ein unveränderter Originaltext.

EN: The following is an unmodified original text.

FR: Ce qui suit est un texte original.

To: DG ENER, European Commission

From: Michael Scholand, Senior Advisor, CLASP Europe
Marie Baton, Lead, CLASP Europe

Date: 6 November 2018

Subject: Comments on Energy labelling requirements for lighting products

Thank you for the opportunity to provide comments on the draft Energy Labelling requirements for Lighting Products. We will keep this feedback brief, however can provide additional information and data on request. Overall, CLASP wishes to express our support for the Commission's draft Energy Labelling regulation for lighting products. We have a few comments that we wish to express here, both in support of key provisions in the draft regulation and a few suggestions for areas where we suggest revisions may be considered.

A. Key provisions which CLASP supports in this Delegated Act:

A.1 Information Requirements – we support all of the information requirements listed in Annex V and Annex VI, specifically (a) the list for the product information sheet, (b) the list for the information to be displayed on the packaging and (c) the requirements set-out in the technical documentation. The Commission's proposal sets out appropriate and necessary information requirements for lighting products and we would strongly object to the removal of any of these information requirements because of the complexity of light sources and the importance of said information. Information about the power consumption, light output, lifetime, quality of light and other critical factors simply cannot be determined at the time of purchase. Thus these information requirements are critical for consumers as well as market surveillance authorities so they are given the opportunity to easily access information pertaining to the product in question.

A.2 Rescaling of the Energy Label – CLASP supports the label classes set out in the rescaled energy label, spanning from G class (<85 lm/W) through to A class (≥ 210 lm/W). We agree with the Commission's position that these label classes will meet the requirements of the Energy Labelling Directive with regard to their ambition and we would oppose any lowering of the threshold values associated with the energy label classes. Besides, lighting products can certainly be considered as one of the "more rapidly evolving products" mentioned under Article 11 point 8 of Regulation EU 2017/1369. Indeed, we have verified through independent testing that Philips Lighting currently offers on a commercial basis a non-directional lamp in the United Arab Emirates called the "Dubai lamp" which is 197 lumens per Watt. We understand this is on the cutting edge of technology, but we fully expect to see such products introduced into the European market in the next few years – thus any lowering of the label class thresholds would not be appropriate or technologically justified.

A.3 Definition of a 'containing product' – CLASP supports the Commission's definition of a 'containing product' which includes the requirement that if a product cannot be disassembled for verification purposes, then the entire product is considered a single light source. This sends the right signal to manufacturers that disassembility (and by extension, serviceability) is a good quality to have in a consumer or professional product.

B. Key provisions where CLASP has concerns for this Delegated Act:

B.1 Delay to the implementation of requirements

CLASP does not support the decision to delay the entry into force of the energy labelling regulation from 2020, as it was originally proposed, to 2021. It should be noted that the original lighting regulations were not scheduled to take effect in January 2020, but rather two-thirds of the way through the year, in September 2020. This represents an 8 month delay on what would otherwise be a very reasonable schedule of implementation. Adding a further 12 months to that schedule simply perpetuates old, inefficient technologies in the market and denies consumers (and market surveillance authorities) the accurate and useful information they deserve when making choices (and enforcing regulations) on lighting technologies. Furthermore, we object to the nine-month transition period offered for relabelling products in shops, which is much longer than is necessary and is in conflict with Energy Labelling Regulation 2017/1369 that says new labels should be displayed in shops by the end of 2019. With the Commission's proposed one year delay and nine-month transition period, consumers could be faced with the old label until June 2022 – a full 2.5 years past the deadline.

B.2 Scope of coverage ("white light") is too narrow

In defining the scope of coverage for white light sources, CLASP is deeply concerned that the x,y chromaticity boundaries defined in the draft regulation are not robust enough to avoid loopholes from being exploited. In analysing a database of 1000 white-light LED lamps from Germany, CLASP found that 2% of the models fell outside of the area defined by the equation given in the current draft of the regulation. These 2% of models would be totally excluded from the labelling requirements and the ecodesign requirements, as they are otherwise not regulated. This creates an incentive for regulatory circumvention that these 2% of models would already enjoy and could grow to become a larger and larger share of the market. It is critical that the Commission adopt the slightly broader scope of coverage which was also proposed by UN Environment in their draft lighting policy regulation:

$$0.250 < \mathbf{x} < 0.570 \quad \text{and} \quad -2.3172\,x^2 + 2.3653\,x - 0.2400 < \mathbf{y} < -2.3172\,x^2 + 2.3653\,x - 0.1400$$

B.3 Delete the 'cone of useful lumens' used for directional lamps

CLASP is concerned that the Commission continues to use a definition for directional lamps that:(1) does not reflect how these light sources are used in homes, offices, hotels and other venues across Europe; (2) imposes a barrier to market surveillance authorities testing and enforcing the regulation; and (3) introduces error into the measurement of light sources, disproportionately favouring narrow beam directional lamps over wide beam directional lamps. The definition for 'useful luminous flux' continues to take into consideration a 90° or a 120° cone when measuring useful lumens. However, CLASP believes that all forward lumens emitted by a directional lamp are useful, for illuminating our living spaces, whether directly or indirectly. CLASP suggests that the term 'useful luminous flux' be amended to include the total flux emitted in a solid angle of 4π sr (corresponding to a 360° sphere for a non-directional light source and 2π sr (corresponding to a 180° hemisphere) for a directional light source.

B.4 Flicker and stroboscopic effect

CLASP welcomes the Commission's addition of requirements on both flicker (PstLM) and stroboscopic effect (SVM), however we believe they should be listed separately in Annex IX, Table 6 as they are two separate requirements relating to the performance of the light source and it should be clear that both must be met by the sample in order for the product to be considered compliant with the requirements.