

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



Entwürfe der EU-Kommission vom 6. November 2015  
**Stellungnahme der Niederlande vom 29. Januar 2016**  
– Text der Stellungnahme –

*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 Netherlands as of 29 January 2016**  
– Text of the Comments –

**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 des Pays-Bas du 29 janvier 2016**  
– Le texte des commentaires –

*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/background-information/texte>

Es folgt ein unveränderte Originaltext.

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

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

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# NL comments on the preliminary draft proposals for ecodesign and energy labelling measures for lighting products

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Hans-Paul Siderius (Netherlands Enterprise Agency) – 29 January 2016

## Introduction

The Netherlands welcome the preliminary draft proposals for the revision of the energy label and eco-design requirements for lighting products.

We support merging the current regulations on different lighting products into one regulation for eco-design and one for energy labelling. We welcome the simplification of the requirements by using one (type of) formula for all lighting products. We also welcome the discontinuation of the luminaire label.

In this document we provide our comments on the documents. Suggested changes are also included in track changes in the Commission draft documents.

## Scope

In order to prevent loopholes, the scope of the regulation should be defined as clearly as possible. We welcome the approach in the proposal that avoids the use of “special purpose” products, however we think that the areas (d) road, railway, marine or air traffic signaling; (h) pieces of art; and (i) environments with ambient temperatures below -20 °C or above 50 °C may still result in loopholes. The wordings “specified to operate exclusively” may easily lead to a “paper” exemption of products that than in practice are used in normal applications, comparable with the “not suitable for household illumination” exemption. This especially applies to area (i).

We suggest to strengthen the definition of exempted products by indicating that lighting products (components) that the use of standard “connections” (sockets) to connect the product or component to the electricity source will not exempt these products. Furthermore, the exemptions should be specified by referring to relevant EU legislation.

On the other hand the wording “including when they are integrated into other products” can create a lot of problems, especially with LED modules integrated into other products. Therefore we suggest to apply this only to lighting products. However, it should be clear that when lighting product components are separately placed on the market, e.g. as spare part or replacement, they are not integrated into another product (when being placed on the market) and therefor shall comply with the applicable requirements. The downside of this solution is that the 12 V halogen lamp that is used in a fridge is not in the scope, but the replacement lamp that is placed on the market separately is.

The suggestion above also solves the problem of products that operate exclusively on batteries, e.g. flashlights. Products operating exclusively on batteries are not lighting products because they do not run on 230 V/50Hz, and therefore the “lamps” in these

products are not lighting product components because lighting product components are parts used in the lighting products. Having the wording “including when they are integrated ...” added to lighting product components would draw lamps of products that operate exclusively on batteries into the scope.

## Definitions

### Lighting product and lighting product component

The definitions (9) and (10) of lighting product and lighting product component form the core of the generic approach. We agree with the generic concept. However we have the following remarks and questions.

It is not directly clear that luminaires sec, luminaires that do not use electricity but still include one or more sockets to connect lamp(s), are not covered by the definitions (9) and (10), and therefore are out of scope. This could be clarified in a recital.

Definition (10) limits the components in scope to those that are intended to be marketed to the final owner as lighting product or a part thereof. However, this would mean that lighting product components that are to be integrated in e.g. a fridge and that are not lighting products are out of scope. These components are not intended to be marketed to the final user because they are sold to the manufacturer of the fridge and if they e.g. run on 15 V DC they are not products according to (11). This seems to be in conflict with the first sentence of Article 1<sup>1</sup>. What is the rationale of including the wording “intended to be marketed to the final owner”?

In addition the word ‘component’ has a specific meaning within ecodesign, see definition 2 of Article 2 of Directive 2009/125/EC: ‘Components and sub-assemblies’ means parts intended to be incorporated into products which are not placed on the market and/or put into service as individual parts for end users or the environmental performance of which cannot be assessed independently. In definition (10) the component is – amongst others – defined as a part that is intended to be marketed to the final owner (which according to definition (7) is, although maybe not always the user itself, in any case connected to the use phase). Thus, assuming that the environmental performance of parts defined in (10) can be assessed independently, the definition (10) of component is not compatible with the definition in the framework directive.

Therefore we suggest to delete the wording “intended to be marketed to the final owner as a lighting product or a part thereof” and to replace the word “component” by “part”. Since in (10) (a) and (c) there is a reference to ‘light’ (as defined in (8)), this links definition (9) to definition (10), e.g. products that transform electricity into electromagnetic radiation outside the spectrum indicated in (8) are not lighting product components.

In (10) (b) there is no reference to ‘light’ but this can be added to make sure that e.g. external power supplies for notebooks are not covered.

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<sup>1</sup> Note that the problem of lighting product components integrated into other products can be solved also in changing the definition of the scope.

It would be elegant to replace the word “component” in ‘lighting product component’ with something else but this is not strictly necessary.

In relation to the foregoing, definition (10) (b) and (c) have other problems. It can be argued that a dimmer or a transformer that is placed on the market separately is not a part that is intended to be marketed as part of a lighting product (it would certainly not be a lighting product itself because the dimmer nor the transformer emit light) but it is intended to work *with* a lighting product or a lighting product component. This addresses the issue of the system boundary. We assume that the “configuration” mentioned in definition (9) is still a product as defined in the ecodesign directive and not a system, i.e. the configuration is the entity that is placed on the market covered by one CE marking (although some of the components/parts might have their own CE marking). As indicated above, the solution would be to delete the wording “intended to be marketed to the final owner as a lighting product or a part thereof”.

To reflect the discussion above, the following changes are suggested in definitions (9) and (10):

- (9) 'lighting product' means a product that can be operated, without any further modification, by applying electricity with a nominal voltage of 230V ( $\pm 10\%$ ), alternating current and a frequency of 50Hz, and that has the primary function of emitting electromagnetic radiation with all of the following characteristics:
- (a) a light emission with a luminous flux of  $60lm \leq \Phi \leq 100klm$ ;
  - (b) a maximum luminous flux of  $1klm/mm^2$  of the light-emitting surface's orthographic projection viewed from the direction with the highest luminous intensity;
  - (c) a colour rendering index of  $CRI \geq 0Ra$ .
- (10) 'lighting product component' means a part that is to be used in or with a lighting product, and has one or more of the following functions:
- (a) to transform electrical energy into light (including, but not limited to, lamps and light emitting diodes);
  - (b) to transform electricity by supplying a different voltage, limiting the electrical current, or changing the current's directionality or frequency to enable the transformation of electrical energy into light (including, but not limited to, transformers and power converters);
  - (c) to control, process and/or regulate switching, luminous intensity and/or chromaticity of the emitted light (including, but not limited to, control devices and dimmers).

### Other definitions

Finally, we suggest to add the following definition of ‘equivalent model’: a model with the same relevant technical and performance characteristics as another model placed on the market under a different commercial code number by the same manufacturer.

## Specific comments on the Ecodesign draft

### Article 3 (Ecodesign requirements)

We are not in favor of a three staged approach. As indicated throughout the preparatory study, with the entrance of LED technology the lighting market has become a fast evolving market with increased uncertainty about (the timing of) future developments. Therefore there is a high risk that levels for 2024 are either set not ambitious enough or are set too ambitious.

We ask the Commission to remove the third stage and review the regulation before 2022.

### Article 4 (Conformity assessment)

Point (c) raises the issue of settings and default settings. If the product allows for different settings, then there is one default (“out of the box”) setting. The product shall comply with the regulation in the default settings and all product information, as required in this regulation and the energy label regulation, shall be based on the default settings.

However, if different settings are possible, it could be that for certain combinations or product settings and conditions the product will not comply with the regulation. The technical documentation shall indicate the (range of) product settings and conditions in which the product does not comply with the regulation. As indicated above, this range can not include the default setting.

### Articles 6-8

Several editorial remarks; see track changes.

### Annex I (Definitions)

Definitions of full-load, stand-by and off mode and networked standby are missing. Here definitions of Regulation EC 1275/2008 could be used.

### Annex II (Requirements)

#### Energy efficiency requirements

It is important that the requirements refer to measured values and not to (rated) values that are specified by the manufacturer, but may not be achieved by the product under test. So, both the power consumption and the luminous flux and the colour rendering index shall be measured and the measured power consumption shall not exceed the power consumption  $P_{on}$  calculated with the measured luminous flux and measured colour rendering index.

If the maximum power consumption would be based on rated values, and each of these values would have a verification tolerance of 3 %, the maximum deviation could be 9 %: 3 % for the luminous flux, 3 % for the colour rendering index and 3 % for the power consumption (tolerances add up).

Furthermore the word “allowed” seems superfluous.

The requirement of no power consumption in off-mode is not verifiable. We suggest to set the requirement at 0,0 W.

As indicated above, Stage 3 should be deleted.

### Functionality requirements

The limit of the first category of the functionality requirements ( $\Phi \leq 500lm$ ) seems rather low. We suggest to use at least 1000 *lm*.

### Information requirements

The warning in case of a high flicker index should contain a value for high flicker.

### Annex III (Verification procedure)

We do not see a reason that the units to be tested should be from four randomly selected sources. In principle all products shall comply with the requirements, so as with other products there is no reason why lighting products or lighting product components should come from different sources. Moreover, the addition of “where possible” makes this requirement vulnerable for dispute.

The wording “from the same supplier” is superfluous since the wording the “same model” implies this already.

Also we think it is not necessary to test a minimum of 10 auxiliary parts; for these products the 1+3 procedure should be sufficient.

The formulation of (2) (c) does not seem to be correct. It is not that the arithmetical mean of the measured values should be within a certain tolerance, but the deviation of the mean from the requirement should be.

The 10% tolerance for lighting products and lighting parts is far too generous<sup>2</sup>. If we assume that a measurement of a single unit has an uncertainty of 10 % (which is already high), then the tolerance for a batch of 10 units should not be higher than  $10\% / \sqrt{10} \approx 3\%$ . On the other hand the tolerance for auxiliary parts of 2.5% seems rather low, especially if a 1+3 procedure is used. We suggest a tolerance of 5 %.

### Annex IV (Measurement methods)

The accelerated endurance test seems to be tailored for LED units. In general we question the use of test that take a long time (in this case at least 2168 hours, which is 3 months).

## Specific comments on the Energy label draft

### Article 2 (Definitions)

The definition of lighting product component differs from the definition in the Ecodesign regulation. Since the definition is restricted to lighting parts that are intended to be marketed to the final user, this definition can be used.

### Article 3 (Responsibilities of suppliers)

Why shall the packaging display the nominal power of the lamp (outside the label)? The Ecodesign regulation already lists the (other) information to be displayed on the packaging.

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<sup>2</sup> Note that if rated values are used in the formulas in Annex II, with a 10 % tolerance the deviation could be as high as 30 %.

Point (e) references Annex III (2); however, not all of the requirements in Annex III (2) are relevant for suppliers. Furthermore, point (e) seems to assume that not all lighting products and lighting parts are packaged; the requirement that a label shall be attached to a model seems difficult. Main requirement is that a label is provided in physical form with each lighting product or lighting part placed on the market, as specified in Annex III (2). The Annex then can deal with situations where the packaging is too small etc.

Regarding point (f): the description of the label is in Annex III (not in VII). What is described in Annex VII is the image used for accessing the label, not the label itself.

#### **Article 4 (Responsibilities of dealers)**

The reference to Annex III in point (a) seems not correct, since Annex VI provides requirements on information to be provided where final users cannot be expected to see the product displayed.

Furthermore, this article does not have any obligations for the display of the label, whereas Annex III point 2 contains such obligations.

#### **Article 6 (Repeal)**

Are any specific provisions necessary to ensure that the luminaire label is discontinued when the regulation enters into force (and Regulation (EU) 874/2012 is repealed)?

#### **Article 7 (Review)**

We suggest to align the review date with the review of the corresponding ecodesign regulation: 1 September 2022.

#### **Annex II (Label)**

##### **Label design**

The label standard size (point 1.3 (1)) seems quite large.

The label application rules in point 2 mix requirements for suppliers and dealers. We suggest to clearly indicate which rules are for suppliers and which are for dealers by making 2 subsections.

#### **Annex IV (Fiche)**

Since the fiche would only contain the energy efficiency class, it has no additional function. We suggest that the fiche contains most of the information specified in the Ecodesign regulation Annex II, 3.3.1.

#### **Annex VI**

The weighted energy consumption is not a parameter used in this regulation. More useful is to provide the luminous flux.

#### **Annex VIII (Verification procedure)**

See also applicable remarks on the verification procedure for the ecodesign requirements.

The energy efficiency class is expressed in a letter from G to A and therefore a tolerance expressed in % does not apply.