WIRTSCHAFTSKAMMER ÖSTERREICH

Bundesministerium für
Nachhaltigkeit und Tourismus
Abteilung VI/3: Energietechnik und -innovation
Stubenring 1
1010 Wien

Abteilung für Umwelt- und Energiepolitik
Wiedner Hauptstraße 63 | Postfach 189
1045 Wien
T 05 90 900 DW | F 0590 900269
E up@wko.at
W wko.at/up

Ergeht per Mail:
abt.63@bmnt.gv.at
franz.kesner@bmnt.gv.at

In Kopie an:
bernd.schaeppi@energyagency.at

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Ökodesign und Energieverbrauchskennzeichnung von Leuchtmitteln - STELLUNGNAHME

Sehr geehrte Damen und Herren!

Die Vorgaben zu Ökodesign und zur Energieverbrauchskennzeichnung von Leuchtmitteln werden derzeit überarbeitet.

Diese Überarbeitung umfasst folgende Verordnungen:

- Verordnung (EG) Nr. 244/2009 vom 18. März 2009 zur Durchführung der Richtlinie 2005/32/EG im Hinblick auf die Festlegung von Anforderungen an die um-weltgerechte Gestaltung von Haushaltslampen mit ungebündeltem Licht
- Verordnung (EG) Nr. 245/2009 vom 18. März 2009 zur Durchführung der Richtlinie 2005/32/EG im Hinblick auf die Festlegung von Anforderungen an die um-weltgerechte Gestaltung von Leuchtstofflampen ohne eingebautes Vorschaltgerät, Hochdruckentladungslampen sowie Vorschaltgeräte und Leuchten zu ihrem Betrieb und zur Aufhebung der Richtlinie 2000/55/EG
- Verordnung (EU) Nr. 1194/2012 vom 12. Dezember 2012 zur Durchführung der Richtlinie 2009/125/EG im Hinblick auf die Anforderungen an die umweltgerechte Gestaltung von Lampen mit gebündeltem Licht, LED-Lampen und dazugehörigen Geräten

Die Wirtschaftskammer Österreich (WKÖ) übermittelt dazu folgende Stellungnahme in englischer Sprache:

I. IN GENERAL

Increasing the level set for energy efficiency requirements of products designed with LED technology is beneficial not only for the consumer, but also for the environment, for the society and the competitiveness of Europe's businesses.

We welcome the idea of unification of three existing regulations that set ecodesign requirements for lighting products. This is in line with the Commission's 'Better Regulation' policy, should decrease administrative burden for manufacturers and importers.

However, requirements of existing Regulations for conventional products (non-LED), including product information requirements must be kept. Any limitation of tolerances require adaptation of requirements. It also has to be clarified that only light sources and external control gear are in the scope.

When speaking about the circumstances under which lighting products fail, it is necessary to consider the following four possible case scenarios.

a) **A product is damaged by a misuse (i.e. product drops down during installation)**

- **Which components fail?** This concerns mostly mechanical damages on the housing of a product. Spare parts can be available and repair is done by the manufacturer (if a new safety test is required) or on site (if suitable).
- **What is the reason for failure?** Misuse.

b) **A product fails during warranty time**
In this case, the product falls within the scope of product liability legislation, and the manufacturer will cover the costs in the majority of cases.

- **Which components fail?** If a product fails during warranty time, the critical components mostly use new procedures or technologies.
- **What is the reason for failure?** New procedures or technologies.

c) **A product fails after warranty/guarantee time and during expected lifetime**
This situation is the mostly discussed one.

- **Which components fail?** Components that usually fail are optical components (lenses or reflectors), mechanical elements (i.e. switches), controls gears, or LEDs (LED modules).
- **What is the reason for failure?** A product can fail due to external reasons, for example overvoltage (often short time transients of > 300 V). Another external reason is over-temperature, because luminaires are designed and tested for an ambient temperature of 25 ºC, while due to some external reasons (proximity of oven, heating, sauna, etc.) the temperature can reach more than 40 ºC; in combination with an operation in full power mode, critical temperatures are exceeded.

d) **A product fails after expected lifetime**
Here we are speaking about products that are mostly 10 to 25 years old. Repairs are often possible, but not economical for the client.

- **Which components fail?** Same as under c).
- **What is the reason for failure?** Same as under c).

Will removable LED modules make any difference?

- A removable LED module will not have any impact on cases a) or b).

- Case c) would be partially solved, if LED modules and control gears are replaceable. Damage to the product by the so-called overvoltage can be repaired by providing replaceable components. However, replacing does not solve the cause of the problem. If an installation fault is causing the overvoltage, the fault has to be identified and fixed. This means that the problem is not the luminaire. This can only be solved if the source of the overvoltage will be eliminated. Even then a competent service provider is needed in order to repair luminaire safety issues, like 230 V connections to the control gear and electrostatic discharge (ESD). However, for reliable products and quality manufacturers this is not a frequently occurring issue. Moreover, the replacability only makes full sense, if the manufacturer provides enough spare parts for the full lifetime. In a lot of cases, the first calculated moment for a component reaching expected end of service life is 20 years after installation.
- Case c) is a large concern at many companies. The brand image is not allowing any weakness at this point. To make a replacability easy, products have to be redesigned. This means additional work, costs, new certification and a change of the approach to the market. In short, a successful and reliable manufacturer will have to change its complete business model.

We call on regulators to adopt a pragmatic and realistic transition timetable to substitute lighting technologies and products. This timetable needs to respect the established maintenance and repair cycles of the end-users of these lighting products.

Ecodesign Lighting Regulation should not hamper future innovation.

II. IN DETAIL

To the Draft of the Commission Regulation

implementing

- Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for light sources and separate control gears,

repealing

- 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

ad Art 1 paragraph 1

It has to be made absolutely clear that the requirements only apply from the moment of placing on the market as mentioned in recital (23). The original text could be understood so that that products in containing product placed on the market before Sep 1st, 2020 should meet the requirements. In both cases, whether in a containing product or not, the requirements shall apply only from the moment of placing on the market.

Proposal: *1. In accordance with Article 15 of Directive 2009/125/EC, this Regulation establishes ecodesign requirements for placing on the market of light sources and separate control gear for light sources. The requirements also apply to light sources and separate control gear ~~placed on the market~~ in a containing*

product. ***This regulation shall apply from 1 September 2020, while allowing existing requirements to stay in force until the date.***

ad Art 2 paragraph 1

The definition of 'light source' is not practicable in general. Especially concerning the last subparagraph the term 'without permanent mechanical damage' is unclear.

Remark:

- Individual LED components are not to be considered a light source.
- The permanent mechanical damage is not related to the containing product.
- The light source to be considered for the purpose of this Regulation is the smallest physical unit, such as lamps, modules, or partially disassembled containing product for the purpose of market surveillance.

Proposal: ~~*If a containing product is itself a light source, the light source to be considered for the purpose of this Regulation*~~ ***Light source to be considered for the purpose of this Regulation*** *is the smallest physical unit that can be readily removed from the containing product without permanent mechanical damage* ***of the light source*** *and that meets the definition for light source.* ***This light source to be considered for the purpose of this Regulation is the smallest physical unit, such as lamps, modules, or the part of the containing product as identified by the manufacturer for the purpose of market surveillance.***

ad Art 2 paragraph 2

To align with current practices, separate ignitors, starter switches and compensation capacitors should not be included in the efficiency measurements. These components are typically supplied by different vendors and affect the results minimally. So to avoid over boarding bureaucracy, it is sensible to continue the same practice as today.

Proposal: (2) *'control gear'* means ~~one or more~~ **a** device~~s~~, ***located between the electrical supply and or more light sources, which provides a functionality related to the operation of the light sources(s), such as transforming the supply voltage, limiting the current of the lamp(s) to the required value, providing starting voltage and preheating current, preventing cold starting, correcting the power factor or reducing radio interference. The device may be designed to connect to other control gear to perform these functions. The device may be integrated in the light source.*** ~~possibly 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.~~

The term does not include power supplies within the scope of Commission Regulation (EC) No 278/2009. The term does also not include lighting control parts and non-lighting parts (as defined in Annex II), although such parts may be physically integrated with a control gear or marketed together as a single product **as well as *separate ignitors, starter switches and compensation capacitors***.

A Power over Ethernet (PoE) switch is not a control gear in the sense of this Regulation.

ad Art 5 paragraph 2

This provision has to be opposed. A product once placed on the market legally has to remain legal.

To the COMMISSION DELEGATED REGULATION (EU)

- supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources
- repealing Regulation (EU) No 874/2012 with regard to energy labelling of electrical lamps and luminaires

ad Art 1

The scope is broadened significantly compared to regulation 874/2012. It needs to be made absolutely clear if this Regulation remains just for products sold directly to end-users (i.e. information to be seen at the point of sale) or if it is intended for the new regulation to have a wider scope.

Physical labelling for B2B-purposes is being opposed. Including all relevant information in datasheets on free accessible websites should be enough.

This option would not cause any limitation to the proposed eco-design requirements that still will be applicable to any type of light sources, even if not removable by end-users so that any luminaire on the market has to be provided with eco-design compliant LED modules anyhow.

Proposal: *This Regulation establishes requirements for the labelling of, and the provision of supplementary product information on, light sources, with or without integrated control gear,* ***but not to the containing product itself in case the light sources and control gear can be measured individually, separated from the containing product.*** ~~*The requirements also apply to light sources placed on the market in a containing product.*~~

Energy label requirements and the energy label are limited to end-users replaceable light sources only. Such light source are lamps with socket and LED modules that can be replaced by end-users.

This Regulation shall not apply to light sources specified in Annex I points 1 and 2. Light sources specified in Annex I point 3 shall only be subject to the requirements of Annex V point 5.

ad Art 2 paragraph 1, last paragraph

The definition has to be the same as in article 2 paragraph 1 eco-design regulation.

ad Art 2 paragraph 3

The scope has to be narrowed down, the proposed definition is unclear. According to this definition, a lot of products will be in the scope of this Regulation, in addition to light sources (like luminaires, furniture, ovens, households, etc.).

The result of this definition would be that a part of luminaires (without light source) would be outside the scope, luminaires with integrated light source and luminaires sold with a light source in its packaging would be inside the scope. The meaning of Regulation 874/2012 is mainly to provide the “compatibility” of luminaires with light sources.

ad Art 3 paragraph 1 (a)

Again broadening of the scope. The label should only have to be supplied when the product is sold directly to end-users. Unnecessary waste stream must be avoided.

Proposal: *(a) each light source is supplied with a printed label in the format as set out in Annex III* ***when the product is sold directly to end-users****;*

ad Art 3 paragraph 1 (i)

A relabelling of products has to be opposed.

ad Art 4

The definition of 'dealer' is unclear, especially concerning wholesalers.

ad Art 4 paragraph 1 (e)

A relabelling of products has to be opposed. The requirement as in letter (e) should be replaced by a general 'infographic' at the point of sale (even downloadable from the website of any supplier).

ad Art 9 paragraph 2

Application has to be consistent with eco-design regulation, on September 1st, 2020.

III. Special case: Theatres and event locations (lightning, acoustic and event engineers)

It must be noted, that the majority of theatres and event locations use LED bulbs for general lighting. Also in stage lighting, energy-efficient measures are used. Higher efficiency LED lamps for studio lightening are not yet available. Hence, it is not possible that the entire equipment range in theatres and event locations will be replaced by LED technology.

The draft documents interdict to place halogen lamps to 2.500W on the market. This will cause enormous damage to the industry, since equivalent LED alternatives for stage lighting are not available on the market.

The white light of a theatre-and event location halogen-lamp contains all colours of the colour spectrum and merge evenly. This is necessary to create a natural and realistic impression of the costume, scenery and even the skin tones of the actors. Additionally, depending on the artistic requirements, any desired colour can be highlighted by using colour filters.

The synthetic LED light falsifies the colour reproduction and causes a grey and dull impression of the costume, scenery and even actors. The aim of stage lightening to support the implementation of artistic concepts is not possible when LED technology is used. Additionally higher cost of cooling, more expensive repairs as well as higher energy consumption in standby modus occur.

Aside from the artistic effects, the financial impacts are enormous since the implementation of a full LED system would cost a six-figure sum. Additional costs that lead to a worse viewing experience for the viewer.

The current exception for theatres and studio lighting must remain and determined in the legal documents.

Die WKÖ ersucht um Berücksichtigung der genannten Anliegen im Rahmen der Verhandlungen auf europäischer Ebene.

Freundliche Grüße

Univ.Doz.Dr.Mag. Stephan Schwarzer

Abteilungsleiter