

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



Entwurf der EU-Kommission vom Februar 2023 (EPREL)
Stellungnahme des Herstellerverbandes LE ^[2]
vom 28. März 2023

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

EN: Information on EU Lighting Regulations – Ecodesign and Energy Labelling – Compilation ^[1] of the Federal Environment Agency (UBA), Germany

The EU Commission's draft of February 2023 (EPREL)
Comments by the Industry Association LE ^[2] as of 28 March 2023

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

Le projet de la Commission Européenne du février 2023 (EPREL)
Commentaires de l'association de producteurs LE ^[2] du 14 mars 2023

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

^[1] <https://bscw.bund.de/pub/bscw.cgi/193290000/index.html>

^[2] LE = Lighting Europe; <http://www.lightingeurope.org/>

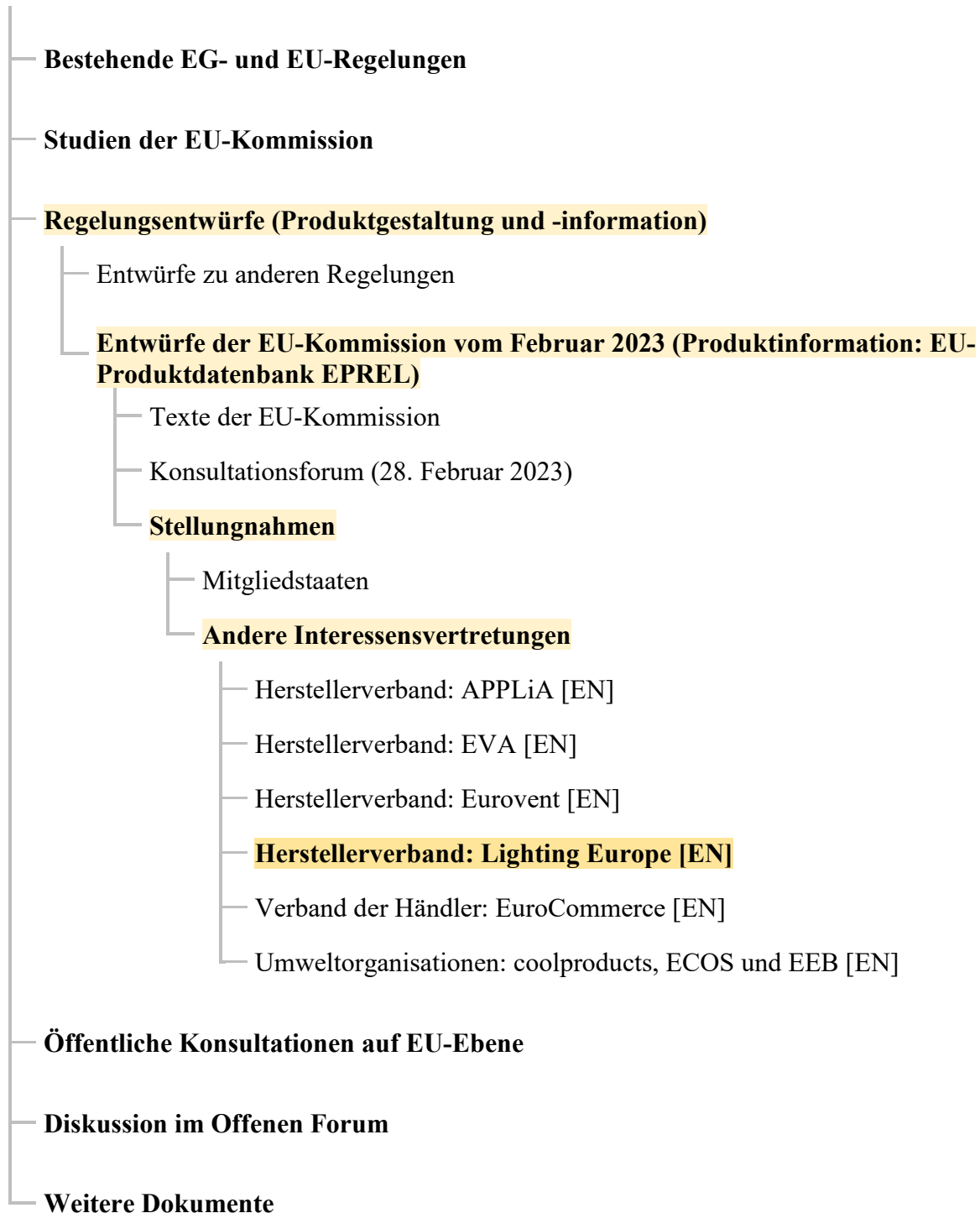
DE: ↓

EN: → page III

FR : → page IV

Texte im Offenen Forum

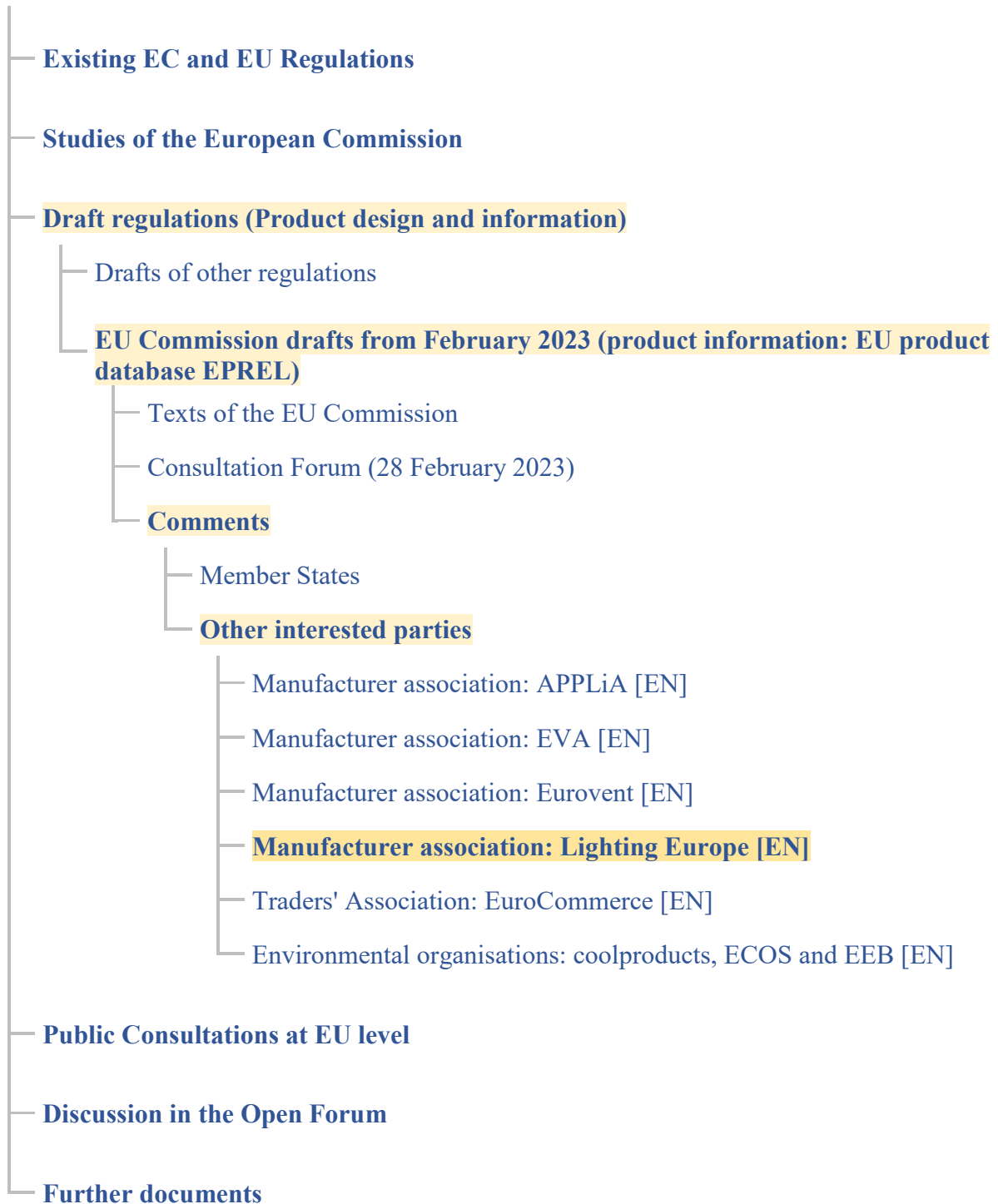
(**abc** = vorliegender Text)



Abkürzungen: • EG = Europäische Gemeinschaft • EPREL = European Product Registry for Energy Labelling (EU-Produktdatenbank für die Energieverbrauchskennzeichnung) • EU = Europäische Union

Documents in the Open Forum

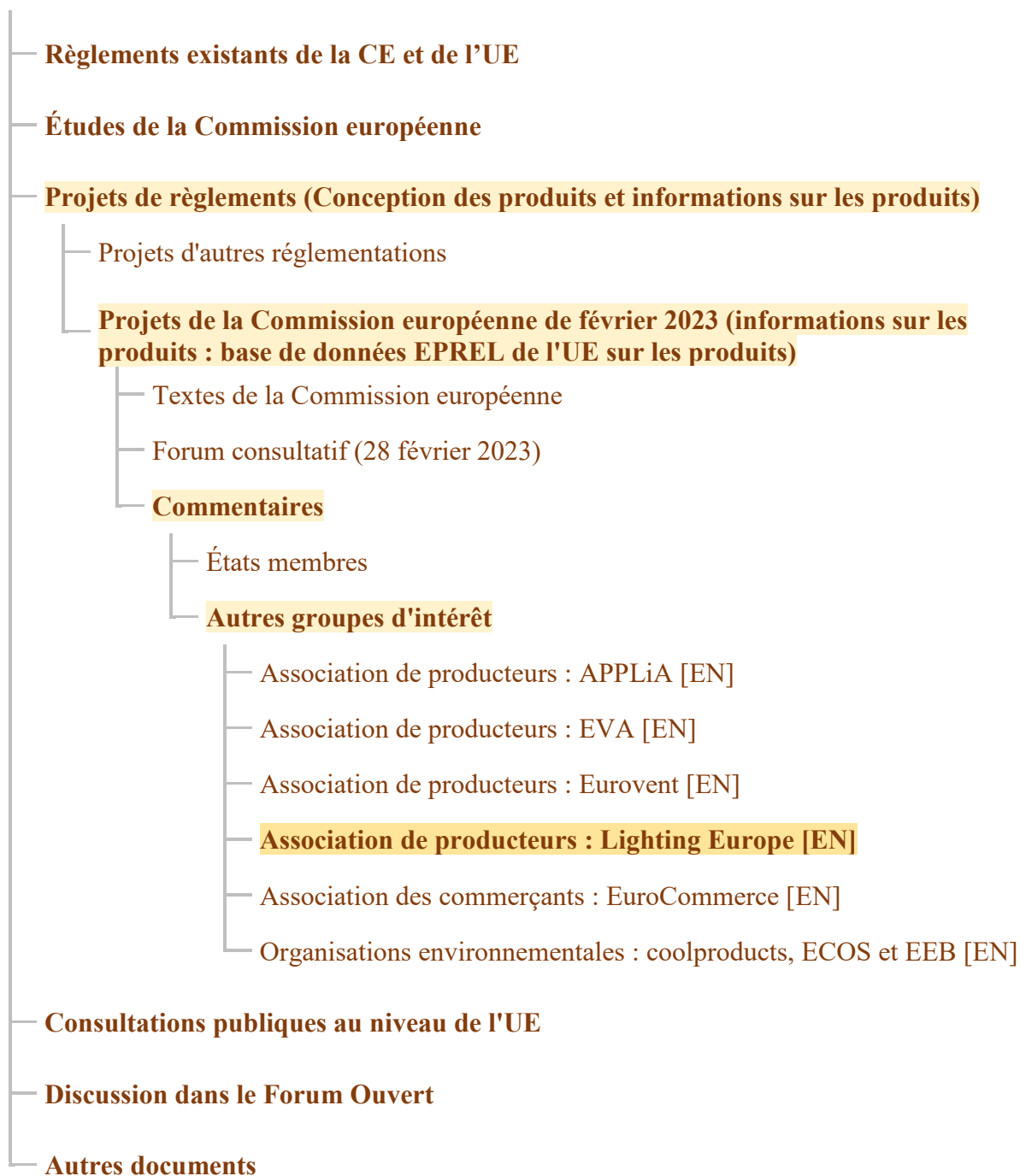
(**abc** = text at hand)



Abbreviations: • EC = European Communities • EPREL = European Product Registry for Energy Labelling
• EU = European Union

Documents dans le forum ouvert

(abc = présent document)



Abréviations : • CE = Communauté européenne • EPREL = European Product Registry for Energy Labelling (Données européenne sur l'étiquetage énergétique) • UE = Union européenne

Es folgt ein unveränderter Originaltext.

EN: The following is an unmodified original text.

FR: Ce qui suit est un texte original.



LIGHTINGEUROPE
THE VOICE OF THE LIGHTING INDUSTRY

Comments on the Commission's working document for the Implementing Regulation proposal laying down operational details for the European Product Registry for Energy Labelling (EPREL)

Introduction

This paper has been prepared by LightingEurope in response to a working document¹ for a future Commission's proposal of an Implementing Regulation laying down operational details for the European Product Registry for Energy Labelling and the Commission's Ecodesign Consultation Forum on this topic that took place on 28 February 2023.

We would like to share some comments and proposals to address the issues below:

1. Impact on existing electronic seals contracts (Articles. 6)
2. Changes to registration of products (Articles. 12-15)
3. Product models placed on the market by multiple suppliers (Article 13)
4. Proposals on online platforms, software maintenance and in case of EPREL malfunctions (Articles. 14-16)

1. Impact on existing electronic seals contracts – Article 6

We **appreciate the staged approach** of the proposal to adapt to new rules. Nevertheless, we would like to be sure that the existing contracts that suppliers have signed with e-seals providers to fulfil the current EPREL requirements for supplier verification will be allowed to remain in place (Art. 6 third paragraph).

We request that the **timeline should allow current e-seals to remain in place** until a new seal is needed because of changes to the supplier details (company name, company ID, etc..).

¹ A working document of a Regulation proposal has been shared by the European Commission to the members of the Ecodesign Consultation forum in February 2023.

Furthermore, the draft proposes a specific format for the e-seal. It shall be avoided that other future legislative acts place different requirements on the e-seal content for other processes and tools, thus forcing the suppliers to maintain a large number of verification credentials.

2. Changes to registration of products – Articles 12 and 15

We understood that, during the Consultation forum on 28 February, the Commission confirmed that, with the EPREL Regulation into force, **no new requirements will be added** to the model exchanges for the registration of products, beside the voluntary ones. We fully support that.

We very much appreciate the spirit of Art. 15, as it clarifies that the obligation to upload information using the new data exchange model shall only apply to **new models' registrations**, and that **at least two months' notice** will be given to the suppliers to adapt.

Furthermore, it shall be explained in detail how the verified suppliers will be notified; **email notification or direct notification is preferred over a message on the EPREL workspace or on the EPREL wiki**, as just an announcement on the EPREL webpage or workspace may not be seen by suppliers in time and is not an efficient way of communication.

Additionally, changes not affecting the data model, but potentially affecting the compliance of new and already registered products (e.g. adding automatic validations of parameters) **shall be pre-announced** with clear documentation via email, and made available in the EPREL acceptance environment **at least two months** before the deployment of the new data exchange in the EPREL production environment.

When defining data model extensions, the Commission should consider data model backward-compatibility. This is required because suppliers may need to modify/correct the declared parameters in the entries submitted using the old data model. It is important to enable this, while always maintaining a single API.

At the same time, we understand and acknowledge the need for **unique identification** of a product across the value chain, including for online platforms. We suggest making use of the unique identifier as per EPREL.

We would like to further express **our concerns** on the **automatic data population** in EPREL, which was mentioned during the Consultation Forum. Be it through parameter derivation or through importing data from the manufacturer webpages, correctness of such data and the related liability are of major concern.

In a nutshell:

We would like hereby to state that **we cannot accept changes to the existing registrations** already done in the EPREL database. Changes for the new ones could be envisaged only if the Commission demonstrates that there is an absolute necessity to add them – and provide the appropriate codification in the relevant legislation.

Our proposal

To avoid any misunderstandings regarding the legal baseline for the EPREL data requirements, we propose to clarify the language in Art 12 (a) as follows:

Article 12 - Information required to complete the registration of product models and release of the information

Commission's working document	LightingEurope's proposal
a) all values related to the parameters and documents as established under Regulation (EU) 2017/1369, Regulation (EU) 2020/740 or any delegated act applicable to the product;	a) all values related to the parameters and documents as established under Regulation (EU) 2017/1369, Regulation (EU) 2020/740 or any delegated act applicable to the product that explicitly defines requirements for EPREL entries;

3. Product models placed on the market by multiple suppliers – Article 13

At Art. 13, the proposal doesn't seem to take into account all the cases where multiple suppliers may be placing the same product on the market (e.g. white label products i.e. multiple OEM² customers of the same ODM³ supplier or multiple independent importers of the same product).

It **cannot be assumed in all cases that those suppliers shall be (or can be) aware** of the product already being placed on the market.

Consequences of linking products in this way (via the reference to the original model registration), including rights, obligations and liabilities for the first and subsequent suppliers registering the same product, **shall be clarified**.

Risk and consequences of misuse of this mechanism (supplier copying data of a completely different product) shall be evaluated. Depending on the implications of the linking, **the supplier** who has originally registered the product **may need to provide an explicit consent** before their registration can be referenced by another product.

Automatic grouping of such products by EPREL algorithm **is unrealistic**, given the number of parameters reportable for lighting products.

² OEM: Original equipment manufacturer

³ ODM: Original Design Manufacturer

4. Proposals on online platforms, software maintenance and in case of EPREL malfunctions – Articles 14 and 16

We particularly appreciate the spirit of:

- **Art. 14.2**, as it proposes **to reinforce the obligations of dealers** to check products that are sold online or over the Internet. It should be noted that **non-compliant products continue to flood the EU market**, in particular through online sales channels⁴. This issue must be addressed.
- **Art. 16**, when it provides for the basic process rules of EPREL software maintenance.
- **Art. 16**, when it clarifies that suppliers shall not be held liable for any loss of information entered in EPREL resulting from causes independent of their will and responsibility.
- **Art. 16**, when it establishes a clear procedure in case of unavailability of the system.

We question instead the reason of the provision in Art. 16 on why the Commission shall take any reasonable action to keep track of any massive data download from the database. We understand the need to check of mass data download for the purposes of avoiding a mirroring of the database. However, the massive data download from EPREL should be ensured for Market Surveillance purposes. The information in the public part of the EPREL database is intended for the public. Limiting access to that data in bulk could hamper the work of the MSAs or tools like 'Label2020'⁵.

Contact

For further information on this topic, please contact Elena Scaroni, Policy Director, through elena.scaroni@lightingeurope.org.

LightingEurope is the voice of the lighting industry, based in Brussels and representing 30 companies and national associations. Together these members account for over 1,000 European companies, a majority of which are small or medium-sized. They represent a total European workforce of over 100,000 people and an annual turnover exceeding 20 billion euro. LightingEurope is committed to promoting efficient lighting that benefits human comfort, safety and wellbeing, and the environment. LightingEurope advocates a positive business and regulatory environment to foster fair competition and growth for the European lighting industry. More information is available at www.lightingeurope.org.

⁴ [Our 2021 mystery shopping exercise](#) showed that out of the 30 products proposed by the platforms' algorithms and delivered to us, 77% did not comply with EU mandatory requirements.

⁵ For more information on the Label 2020 project, please visit <https://www.label2020.eu/>.