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Position from ECOS, EEB, ZMWG, CAN-Europe, INFORSE-Europe, Greenpeace and WWF

on the EC Working Document on possible ecodesign requirements for general lighting equipment

In the context of Directive 2005/32/EC establishing a framework for the setting of ecodesign requirements for energy using products.

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1. Position on the level of ambition

ECOS, EEB, Zero Mercury Working Group, CAN-Europe, INFORSE-Europe, Greenpeace and WWF (hereafter "Environmental NGOs") **strongly welcome the conclusions of the EuP Preparatory Study on Domestic Lighting, in particular the principle of quickly phasing out inefficient lighting from the EU market.**

We also appreciate the effort from the European Commission to set up a clear and comprehensive scheme to cover all possible lighting equipment, as well as the comprehensible Working Document presenting the issues at stake for Domestic Lighting Part I.

However, we are concerned by:

- **The excessive indecisiveness of this Working Document**

Environmental NGOs believe that cautiously proposing 3 different options (with diverging potentials, especially for scenario 3) is not a clear enough answer to the ever-increasing urgency to act to save energy and fight global warming. The European Commission should be convinced and confident enough to adopt a strong stance and motivate Member States to follow their lead.

New and ever-growing evidence about the risks of dangerous climate change and insecurity of our energy supply really leave us no options. The IPCC 4th assessment report finds that the only scenario with a high probability of containing global warming within 2ºC requires a peak in emissions by 2015; only the most ambitious policies in all climate-related sectors will give us any chance at all of reaching this target. Therefore EuP Policy should aim towards the fastest and most stringent ecodesign scenarios for all product groups.

- **The lack of details and robustness in the comparison of options**

Undeniably, several economic and social aspects remain in question and need to be addressed. However we are concerned that too much emphasis has been put on the impact assessment study following the Consultation Forum meeting[1].

Environmental NGOs understand the need to assess and discuss the options with sound and indisputable data and therefore do not accept the non-transparent impact assessment study to be the only process. Environmental NGOs call the European Commission **to guarantee a higher level of transparency and stakeholder involvement, in particular to publish draft versions of the impact assessment study and to clarify how the outcomes of this study will influence the decision-making**:

- Under which criteria would a scenario be considered acceptable or not acceptable?
- How much weight non-environmental aspects would be given in the final decision?
- How the impartiality of the impact assessment study would be secured?
- Which basis would the final decision be taken on?

[1] The WD states : « *The Commission services will finalize an impact assessment before defining which option to propose for adoption* ».

Despite concerns related to mercury use and end-of-life disposal, **Environmental NGOs believe Option 1 should be the ultimate vision of any scenario as it corresponds to the largest energy savings and the least life cycle cost for consumers.**

This Option 1 target should be reached within the tightest possible timeline (based on sound and impartial assessment of production capacity).

The timeline issue should be the main point to debate in the Consultation Forum meeting, provided manufacturers can bring data and evidence of their concerns about quick implementation. Whatever the timeline, the final decision should **immediately convince manufacturers to stop investing in new production lines that would not deliver A-rated products**.

As far as European jobs are concerned, it seems the European Commission has already demonstrated through several examples (anti-dumping taxes, quality requirements) that there could be ways of ensuring the European production sites do not excessively suffer from competition by cheap imported products.

2. Improving the provisions on mercury content

Annex 3 on possible ecodesign requirements does not set any particular provision on mercury content in lamps. This is contradictory to:

- The Working Document itself, which states on page 12 that "*According to the Working Document 500 CFLs would contain 1 g of mercury*", instead of 200 CFLs today. **This suggests that a limit of 2 mg per lamp should be set**.
- The (draft) preparatory study, which suggested detailed coupled requirements for mercury content and lamp lifetime.

Environmental NGOs can understand that the best place for requirements on mercury might be the RoHS directive rather than the EuP process, but they want the Commission to clarify why no suggestion was included[2].

Environmental NGOs propose to add the following sentence in the Implementing Measure:

"*Recommendation for the next RoHS exemptions review: maximum lamp mercury in fluorescent lamps with integrated ballast shall be 2 mg.*"

Environmental NGOs also reiterate their concerns about the issue of **mercury losses during the production phase**. The production phase is in no way out of the scope of the Ecodesign Directive and the preparatory study has not dug deep enough into this issue (*see the similar comment in our position paper on Office Lighting*).

If Asian countries are to fill a large part of the new demand for CFLs created by this implementing measure, it appears necessary to stop the mercury emissions or discharges as part of the Ecodesign approach. Mercury losses from production are mainly due to methods used in China and many EU producers already have factories in this country.

Therefore **Environmental NGOs suggest prohibiting the drip (or similar liquid injection) method** for adding mercury into CFLs. Such a requirement would be less difficult to control than a limit value (to take into account the difficulty of monitoring EuP requirements outside Europe). A signed certificate should at least be requested from the manufacturer ensuring that such a method is not used.

[2] On the contrary, the Working Document on Office Lighting proposed a limit of 2 mg of Hg per fluorescent tube for adoption in the revision of RoHS.

3. Renewed concern for the requirement on waste

As we already mentioned for several other product groups, the general requirement on waste minimisation seems **far too vague**. The terms "*without prejudice to good engineering*", "*unless inappropriate*", "*minimised*", "*negative impact*" can lead to broad interpretation. The requirement will not be verifiable and it will just be ignored.

We understand that the Commission plans to turn this requirement into standardisation work. However **it will not deliver unless the requirement is made more precise**. Standardisation bodies need very clear and detailed mandates to properly work; otherwise the outcomes are ambiguous or pointless.

Environmental NGOs also advocate for the EuP process to **speed-up the implementation of separate collection and recycling chains** for CFLs everywhere in the EU. With the phase out of GLS and halogens, the issue will become crucial to ensure a high level of mercury recovery. This aspect should be better covered by the WEEE directive; moreover, ecodesign options could possibly improve the recycling rate and limit the risk of breakage during handling.

For instance good quality CFLs with transparent glass covers specifically designed to prevent breakage of the lamp could be rewarded by getting the A label even if the efficacy is slightly below the designated level.

4. Other comments on the proposed requirements

- Environmental NGOs support the **upgrading of the Energy Labelling**. Class A should be restricted to the top of the market and there should be not more than 7 classes (to avoid the risk of using A+, A++, A+++ and B+ in the layout). One option could be to merge classes E, F and G (all of which correspond to incandescence) into a single G class.

- We fully support a **requirement on resistance to frequent switching cycles**. The existing provisions in voluntary approaches are insufficient and the requirements should be made more stringent. As CFLs are meant to become a standard solution for general lighting, **they should resist more than 2 switches per hour**. The "fast-cycle testing" approach should be considered.

- We support the **prohibition of R7 halogen luminaires** without built-in presence detection. There could be a requirement on the performance and lifetime of the presence detector to ensure it is operational as long as the luminaire is in place. The presence detector should not be easily turned off or dismantled, as some consumers might still want to use R7 halogens for general lighting (as is the case today).

- Environmental NGOs suggest **including a requirement on luminaires for general lighting operating with a power transformer**. The hard-off switch on such luminaires should be designed to avoid energy waste:
"A luminaire with transformation to low voltage lamps shall have its normal on/off switch on the primary side of the transformation."

- The Working Document assumes that option 1 or 2 would lead to the end of bright point-like sources and that it would be an issue for lighting design. We believe a more comprehensive study should be provided to **discuss the alternatives**. For instance some LED lightbulbs with a 360° light diffusion already exist. They can be perfectly fitted to crystal chandeliers and even improve the design effect with multiple small lighting points.

- More thinking might be needed about built-in luminaires in walls or ceilings (such as certain halogen spotlights). They could prevent easy replacement by more efficient lighting solutions. Mandatory building requirements in other policies (e.g. EPBD) should ensure consistency with the phase out of these halogens.

➢ Requirements for information on the package should **distinguish the front and the back of the packaging** (referring to what is visible on the shelves). The front is much more important as it is the basis for first consumer choice; unfortunately the energy labelling is often put on the back. Information should be given in a simple format so as not to overwhelm the consumer with numbers and data.

- The following information should be on the front: energy class, wattage and lumen output, life span, indication of mercury content (e.g. in mg per lamp).

- The following information can remain on the back: colour rendering, warm-up time up to 80% of the full output, dimmability, how to clean debris, where and how to dispose of the lamp, temperature of the lamp.

- Information that might be of less interest for consumers: starting delay, lumen maintenance at end of life, light distribution.

Environmental NGOs also support the **restriction of the indication "energy saving lamp" to the most efficient products**. Halogen lamps (even efficient) should not bear such an indication.

➢ Environmental NGOs again insist on the need for a **strong and efficient market surveillance system** to monitor these EuP requirements. European institutions should be able to create a database of all the products sold on the EU market with their main characteristics (wattage, efficiency, mercury content, etc.) so that the revision of the Implementing Measure is simplified.

END.