POSITION PAPER

ON THE REVIEW STUDY AND IMPACT ASSESSMENT FOR THE EXTERNAL POWER SUPPLY ECODESIGN REGULATION (2019/1782)

15 March 2023

Following the consultation forum (CF) meeting held on 16 February 2023, in which the Commission presented the progress with the review study and impact assessment (including draft legislative proposal) for the Ecodesign regulation on External Power Supplies (EPS), Coolproducts members, ECOS and the EEB would like to provide the Commission with the following comments:

Aspects supported

- EPS for a range of products now explicitly in scope.
- Direct inclusion of wireless chargers in scope.
- Inclusion of a 10% loading efficiency requirement.
- Design requirement for the cable to be detachable on the DC output.
- A pictogram showing power information to be provided on the EPS.

Key issues to address:

- Lack of clarity on scope regarding battery chargers and ethernet injectors.
- Lack of ambition in energy efficiency requirements
    - Absence of improvements to the approach to address efficiency at 25%, 50%, 75% and 100% load
    - Whilst requirements at 10% load are welcomed, the ambition level is ineffective.
- Lack of action to address wireless charging
    - Impact assessment fails to address the high risk of increases in energy consumption due to the shift from wired to wireless charging.
    - Lack of recognition of the need for standards to quantify wireless charging energy consumption and efficiency.
    - Failure to address interoperability of wireless chargers, risking proliferation of multiple wireless chargers per household.
- Inconsistency with Radio Equipment Directive / Common Charger initiative by permitting USB Type-A connectors in future EPS instead of harmonizing on USB Type-C.
- Missing information requirements that do not include labelling on packaging and information on cables themselves.
- Flawed and unnecessary definitions relating to 'charger containing product', 'wireless charger' and 'wireless charging pad'.
- Failure to fully decouple EPS from products in order to access savings envisaged by the common charger initiative.
- Erroneous perception of conflicting requirements between legislation and standards

- **Poor compliance to the regulation to date**
- **Missing policy scenarios:** insufficient requirements on durability of EPS.

The following sections describe the key issues observed in the explanatory memorandum, consultation forum meeting slides, and draft regulatory text that should be tackled for this review to result in an effective regulation.

LACK OF CLARITY ON SCOPE

CONFLICTING SCOPE EXCLUSIONS AND ANNEX I INCLUSIONS FOR BATTERY CHARGERS AND ETHERNET INJECTORS

As highlighted in the consultation forum discussions, although Annex I explicitly includes EPS for battery charging equipment and ethernet injectors, Article 1 explicitly excludes "battery chargers without power supply function;" and ethernet injectors. It was explained by the Commission in the CF that this text was accidentally retained from the previous revision and should be deleted.

Action: Delete points 2.c and 2.f from Article 1 so that the EPS of these products can be appropriately addressed in the regulation.

POTENTIAL FOR FURTHER SCOPE EXEMPTIONS

We noted the statement made by Mr Ladefoged of the Commission during the consultation forum meeting that the EC was open to proposals for exclusions where these were well-defined and where there were clear reasons to support the exclusion. We would like to emphasise that exemptions should be avoided wherever possible as they increase complexity, have the potential to open loopholes, and reduce the savings impact of the regulation.

LACK OF AMBITION IN ENERGY EFFICIENCY REQUIREMENTS

MORE STRICT AVERAGE EFFICIENCY REQUIREMENTS ARE MISSING

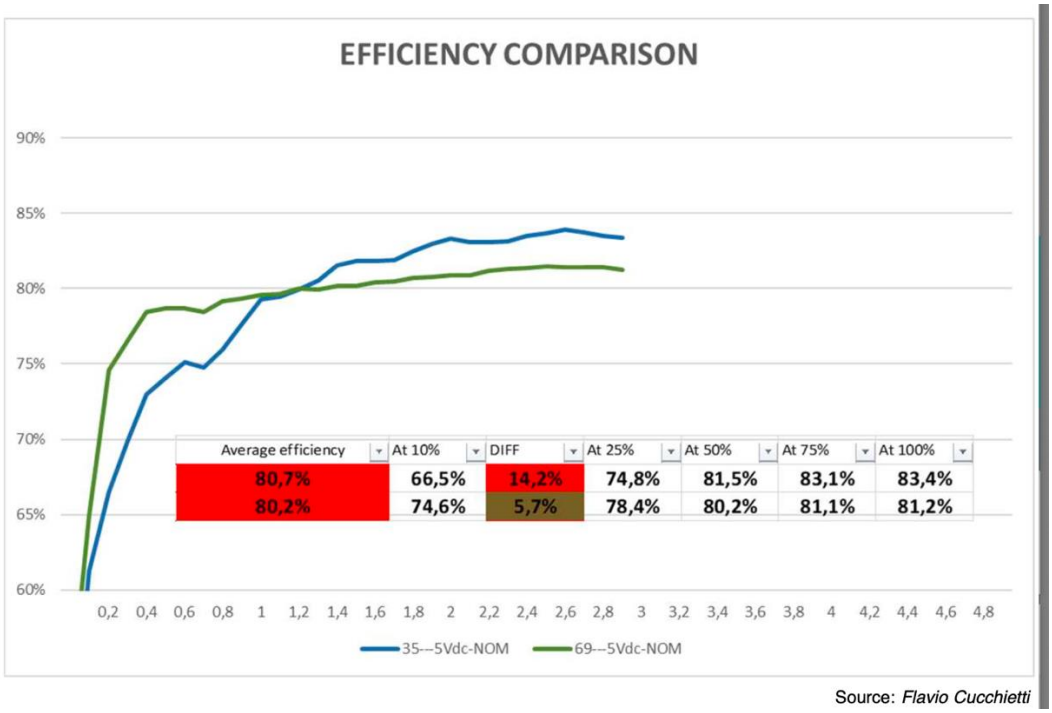
Option H in the impact assessment is intended to address "Stricter Average Efficiency Requirements" but none have been proposed. The average active efficiency metric was defined over a decade ago by US DOE and the assessment data clearly "shows potential for stricter average efficiency requirements". It was observed by the Commission experts during the CF meeting that the marketplace is already five percentage points above the current requirement threshold, so there was "definitely room to manoeuvre", and that there could be a 40% reduction in losses with the best in class. Furthermore, the US DOE is looking into strengthening their average efficiency requirements and therefore tightening of requirements may be necessary for harmonisation purposes too.

We urge the Commission to provide a detailed proposal of how the requirements for average energy efficiency could be revised in order to be able to appropriately assess this policy option. revised requirements it is unclear how such a scenario can be modelled.

There are two possibilities that can be considered for such requirements:

1) A higher (more strict) efficiency requirement calculated (in line with the current approach) as an average across the four load points (100%, 75%, 50% and 25%)
2) Application of the existing efficiency requirement across the four load points without averaging them.

The second option is preferable for its simplicity and the reassurance it would ensure higher efficiency at lower loading points. The averaging approach currently used dilutes the impact of any single load point, allowing an EPS to comply despite relatively poor efficiency at the lower loading levels, which they are more likely to operate at due to the Common Charger initiative, as illustrated in the Commission's own data below.



Average efficiency	At 10%	DIFF	At 25%	At 50%	At 75%	At 100%
80,7%	66,5%	14,2%	74,8%	81,5%	83,1%	83,4%
80,2%	74,6%	5,7%	78,4%	80,2%	81,1%	81,2%

Figure 1: Chart showing efficiency across different loads between two different EPS

As such, we encourage the Commission to consider a simple and effective way to improve on the previous iteration of the regulation by setting minimum efficiency requirements at each of the loading points (10%, 25%, 50%, 75% and 100%) without averaging them. Such improvements across lower load levels are technically feasible through improved EPS designs that could be adopted within regulatory timelines as design cycles for EPS are sufficiently agile. Design options already available include for example: improved transformers, selection of semiconductor technologies, technologies for higher power applications, modern switched-mode power supplies (SMPS), active power factor correction (PFC).

Action: Change the text preceding the tables of efficiency requirements:

> *"From dd.mm 202x, the ~~average~~ active efficiency* ***at 100%, 75%, 50% and 25% load*** *shall be not less than the following values:"*

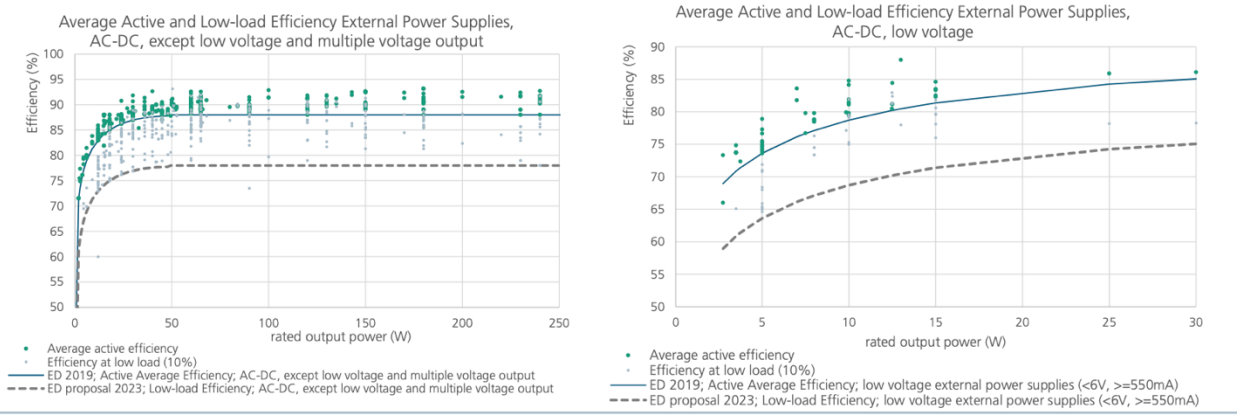
UNAMBITIOUS EFFICIENCY REQUIREMENT AT 10% LOAD CONDITION

Option E in the impact assessment is intended to address efficiency at the 10% load condition. Manufacturers have expressed doubts about the appropriateness of an efficiency requirement at the 10% load condition because some products will cease charging at the 25% load level - therefore the EPS would not be used with that product below 25% load. However, due to the common charger initiative EPS will be usable with a range of products, many of which may result in the EPS operating at the 10% load level, especially if the EPS is of a higher nameplate power than is necessary for the product. **It is therefore important that exemptions are not created for requirements at 10% load.**

The impact assessment proposal is for a requirement at the 10% loading level that is less ambitious than the average efficiency requirement in the current regulation, specified as 10 percentage points below the current average efficiency requirement. Such an unambitious requirement does not make sense as it is so low it will not result in savings. The explanatory memorandum explains that the 'comprehensive' data now available shows that "the efficiency at 10% load is on average 10 percentage points lower than the active average efficiency." However, it was observed by the Commission experts during the CF meeting that the marketplace is already 5 percentage points above the current average efficiency requirement threshold. Therefore the current proposal is equivalent to allowing EPS to operate in 10% load at 15 percentage points lower efficiency. This allows for a massive decrease in efficiency at low loads.

Furthermore, the Commission's own data presented in the CF slides shows that the requirement as currently proposed would remove only two of the current products from the market, as shown in their charts below:

Low-load efficiency at 10%-points below active average efficiency requirement (as per current Regulation (EU) 2019/1782)



The CF slides themselves state that the proposal is a "very moderate option" and that there "is room for a more ambitious threshold." **We therefore urge the Commission to rethink the current proposal and put forward one that is more stringent** so that the status quo performance of EPS at low loads is improved upon as EPS are likely to be used increasingly at low loading levels due to the Common Charger initiative.

Action: We urge the Commission to specify a more stringent efficiency requirement at the 10% load condition that will encourage manufacturers to improve the operation of their EPS at 10% load. Alternatively, the change to the wording proposed above could be adapted to ensure that the 10-percentage point gap in performance at 10% load is completely closed, through the change below:

*"From dd.mm 202x, the ~~average~~ active efficiency **in all load conditions** shall be not less than the following values:"*

LACK OF ACTION TO ADDRESS WIRELESS CHARGING

IMPACT ASSESSMENT DOES NOT ADDRESS THE HIGH RISK OF FUTURE INCREASES IN ENERGY CONSUMPTION DUE TO WIRELESS

Option F in the impact assessment is intended to address "Energy efficiency requirements for wireless chargers and/or active PoE injectors" but none have been proposed. This is both misleading and representing a lost opportunity to access savings.

In the explanatory memorandum the Commission explains that requirements on wireless charging efficiency were not proposed because "efficiency of the entire charging process is a system aspect beyond the scope of the proposed revised regulation, being determined by the interplay of the charging pad, its power supply, and the device to be charged." Thus, whilst wireless chargers have been brought under scope, no requirements have been placed on them. This is an inadequate response, especially as inclusion of wireless charging under scope within this regulation reduces the likelihood of these chargers being addressed under other legislation.

The Commission is lagging behind legislative approaches in other parts of the world that are already beginning to address these products despite the systems aspect. In particular, the systems aspect is less of a barrier for fixed-placement wireless chargers. For example, the US DOE has already begun work in this area within their Battery Charger rulemaking[1], where they define fixed- and open-placement wireless chargers, address the efficiency of fixed location wireless chargers, and include a no-battery mode test method for open-placement wireless chargers.

There was strong support in the previous Consultation Forum (31/03/2022) from a range of stakeholders for wireless charging efficiency to be properly addressed within the EPS regulation. We believe it would be a significant oversight not to address this in whatever way possible within the current regulatory review. The global market for wireless charging is expected to grow from $6.51 billion in 2018, to $40.24 billion by 2027[2]. There is currently a wide range of efficiencies on the market, underlining the urgent need for regulation in this area before the market expands as predicted and savings are lost[3]. Wireless charging is inherently less efficient than wired charging. Much of the energy in the charging process is lost as heat, and the effectiveness of the charge can be impacted by the alignment of the product on the charging pad. The Commission's own

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[1] US DOE (2022), 2022-09-08 Energy Conservation Program: Test Procedure for Battery Chargers; Final rule, https://www.regulations.gov/document/EERE-2020-BT-TP-0012-0029

[2] Patil, A., Humbare, R., & Kumar, V. (2020). *Wireless charging market size, share and growth: Analysis - 2027*. Retrieved April 26, 2022, from https://www.alliedmarketresearch.com/wireless-charging-market

[3] Teschler, L., & Perzow, J. (2016). *Wireless charging efficiency: How to measure in the real world.* Power Electronic Tips. Retrieved April 26, 2022, from https://www.powerelectronictips.com/measuring-wireless-charging-efficiency-in-the-real-world/

wireless charging study[4] carried out in 2021 recognized that wireless charging was less efficient and resulted in greater energy consumption, albeit referring to estimates without implementing actual testing. Informal tests carried out in 2020 showed that wireless charging may demand between 40 and 50% more power than wired charging[5] where there is good alignment and as much as 80% more where the alignment is poor. When multiplied across Europe this represents a risk of a substantial increase in energy consumption of around 1.8TWh[6]. This is clearly an issue that needs to be tackled urgently as consumers increasingly transition towards wireless chargers and manufacturers may switch to solely wireless charging designs.

Action: The following actions are necessary to address the risk of a substantial increase in energy consumption:

- **Impact assessment:** Ensure the impact assessment properly accounts for these risks, in line with the review clause of the existing regulation which directly specifies the need to assess wireless charging. Revise the conclusions to properly consider the risks of future increases in energy consumption expected as a result of the transition to wireless charging and provide insights on how these can be addressed by policy. This should include consideration of the limits of what can be done under RED and what needs to be addressed through a separate wireless charger implementing measure.
- **Information requirements:** These should be developed at least for efficiency and standby power demand of fixed placement wireless chargers, and standby power demand of open-placement wireless chargers.

ABSENCE OF STANDARDS TO QUANTIFY WIRELESS ENERGY CONSUMPTION AND EFFICIENCY

There are currently no European standards in place to measure wireless charging energy consumption and efficiency, or how this varies with alignment of the device. Achieving these measurements in a repeatable way across different products and wireless chargers is challenging but not impossible. Without clear standards it will not be possible to implement lifecycle assessments (LCAs) of wirelessly charged electronic products or to fully understand the risks of increased energy consumption. The US DOE has already established a foundation for this work in the Battery Charger rulemaking[7]. The test procedure would need to be designed to capture energy performance in a relatively representative and repeatable way across a range of possible placement positions on the charger pad. Representative test loads would need to be specified to account for a range of charging scenarios representing different potentially third-party products. Data on

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[4] European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Sánchez, D., Schischke, K., Kuehnemund, M., Technical supporting study to assess the status of wireless charging technologies used for mobile phones and similar portable equipment and next expected main technological developments : deliverable 5 (D5) : final report, Publications Office, 2021, https://data.europa.eu/doi/10.2873/537546

[5] Ravenscraft, Eric & iFixit. "Wireless Charging Is a Disaster Waiting to Happen." Medium, Debugger, 6 Aug. 2020, https://debugger.medium.com/wireless-charging-is-a-disaster-waiting-to-happen-48afdde70ed9.

[6] Based on impact assessment 2022 figures for wired charging energy consumption. Assumes 30% of products historically in scope are charged by wireless in future, with 60% increase in energy per charge assuming occasional inaccurate placement of the product on the charger pad.

[7] US DOE (2022), 2022-09-08 Energy Conservation Program: Test Procedure for Battery Chargers; Final rule, https://www.regulations.gov/document/EERE-2020-BT-TP-0012-0029

consumer usage patterns would also be required to ensure representative average use cycles could be defined.

Action: The EC needs to dedicate resources to the following areas of wireless charging:

- **Investigation:** The Commission should initiate an additional study to supplement their previous wireless study and carry out testing of several products and chargers in order to quantify variations in energy consumption and efficiency compared to wired charging and develop principles on which standardized testing procedures can be built, including how to tackle product-to-coil alignment.
- **Standards:** The Commission should launch a request to ESOs for standards that will enable:
  - the testing of wireless charging efficiency under different testing conditions,
  - the testing of wireless charger energy consumption under different testing conditions,
  - provision of guidance to users on product positioning on wireless charging pads (would require the ESOs and the WPC work together to resolve this issue).

FAILURE TO ADDRESS INTEROPERABILITY OF WIRELESS CHARGERS

The impact assessment recognized the problem of the lack of mandatory technical standards to allow interoperability of wireless chargers, yet the revisions to the regulation do not propose to tackle this on the grounds that the market is already voluntarily moving towards the Qi standard. Most charging pads are currently designed for smartphones but can be used to charge other devices too. However, the form factor of some products (e.g. digital pens or smart glasses) means that charging them using the same pad as a smartphone may not currently be possible. As a result, such products and their chargers often do not support Qi[8]. For example, Apple (who represents a non-trivial volume of sales) continues to use proprietary (non-Qi) solutions for the Apple Watch and Apple Pencil and the WPC (organization responsible for the Qi standard) have no intention to address this in future[9]. Moving forwards, this range of non-compatible products may expand to include shavers, tablets, and laptops. This could result in separate non-Qi chargers being required, so that multiple non-compatible wireless chargers are necessary in order to meet a consumer's needs. This will have negative material impacts in addition to the greater energy impacts of wireless chargers, especially as wireless chargers require more materials than wired chargers[10].

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[8] European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Sánchez, D., Schischke, K., Kuehnemund, M., Technical supporting study to assess the status of wireless charging technologies used for mobile phones and similar portable equipment and next expected main technological developments : deliverable 5 (D5) : final report, Publications Office, 2021, https://data.europa.eu/doi/10.2873/537546

[9] European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Sánchez, D., Schischke, K., Kuehnemund, M., Technical supporting study to assess the status of wireless charging technologies used for mobile phones and similar portable equipment and next expected main technological developments : deliverable 5 (D5) : final report, Publications Office, 2021, https://data.europa.eu/doi/10.2873/537546

[10] European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Sánchez, D., Schischke, K., Kuehnemund, M., Technical supporting study to assess the status of wireless charging technologies used for mobile phones and similar portable equipment and next expected main technological developments : deliverable 5 (D5) : final report, Publications Office, 2021, https://data.europa.eu/doi/10.2873/537546

Further, current limitations in the Qi approach mean that wireless charging can be slower than wired, and have resulted in product manufacturers developing their own proprietary fast charge solutions which could also encourage a potential proliferation of different wireless chargers for different products despite Qi being present.

Action: Ensure the impact assessment properly accounts for these potential increases in material impacts. Qi should be specified within the regulation as the mandatory technical standard for wireless, and the Commission should mandate the ESOs to work with the WPC to develop solutions and ensure it evolves to be compatible with different form factors of products, the needs of different manufacturers, and in particular to offer harmonized fast charge approaches.

INCONSISTENCY WITH THE GOALS OF THE RADIO EQUIPMENT DIRECTIVE REVISION & COMMON CHARGER INITIATIVE

PERMITTING USB TYPE-A RECEPTACLES IN NEW EPS

In Annex II 2), the draft regulation currently lists that:

- Up to 15W and 5V can be USB type-C **or USB type-A receptacle**
- 15W to 240W and over 5V can be USB-C

Use of the USB Type-A connector is in decline as it is being replaced by the superior USB Type-C connector, which allows for reverse insertion and safer use, higher data transmission rates, a wider range of charging currents (through USB-Power Delivery [PD]), and reverse charging. Backward compatibility means that a device with USB Type-C receptacle can still be charged with an EPS with Type-A receptacle as long as the correct cable is used. However, USB Type-A connectors will not allow charging beyond the USB 3.2 standard, so for higher powers or faster charging using USB power delivery USB Type-C is necessary.
If USB-A connectors are permitted in a regulation which will come into place in 2024, it will allow for inferior EPS to continue to be placed on the market that will not provide optimal charging, due to the absence of USB PD functionality. Such EPS and cables will have shorter useful lifetimes as USB Type-A connections will be less attractive for use with products due to the inferior charging offered. Therefore these EPS are likely to enter the waste stream more quickly without being reused for other products. **As such, we do not consider the endorsement of USB Type-A receptacles on EPS to be in line with the common charger initiative.**

To ensure longevity of the revision, deliver on common charger ambitions and guarantee consistency with the Radio Equipment Directive (RED; 2014/53/EU) it is essential that the allowance of Type-A connectors is removed.

Action: Edit text in Annex II 2.c:

> *(b) from x xxx 202x, AC/DC external power supplies for products listed in Annex I with an input power of up to 15 Watts and 5V shall be equipped with ~~either the USB Type-A receptacle, as described in the [standard EN IEC 62680-1-2:2022 "Universal serial bus interfaces for data and power - Part 1-2: Common components - USB Power Delivery specification" / "USB 3.1 Legacy Connector and Cable Specification"], or with~~ the USB Type-C receptacle, as described in the standard EN IEC 62680-1-3:2022 "Universal serial bus interfaces for data and power - Part 1-3: Common*

components - USB Type-C® Cable and Connector Specification", ~~or both~~, and that receptacle shall remain accessible and operational at all times;

MISSING INFORMATION REQUIREMENTS

PACKAGING AND ON-CABLE INFORMATION FORMATS NEGLECTED

Problem drivers according to the impact assessment study and explanatory memorandum include the lack of information about the efficiency and compatibility (adaptiveness) of EPS with the intended load. However, we believe that the information requirements proposed in the draft regulation fall short of what is necessary to avoid consumer confusion in the context of common chargers, especially as cables will now be separable from the charging unit itself. Easy to understand standardised information requirements are necessary on packaging for EPS and cables that are sold separately from products to avoid consumer confusion. This should in fact be even easier to achieve than adding information to the EPS nameplate, as there will be more space available on packaging. In addition, printed on-cable information or labels or tags are necessary on cables to indicate their charging performance and functionality and avoid confusion and proliferation of multiple items.

Action: Packaging information requirements for separately shipped EPS should be specified, mirroring those of ANNEX II 2.a, b, c and d. On-cable information tags should identify cable maximum power delivery and additional capabilities (data delivery speed and display delivery resolution if available).

FLAWED AND UNNECESSARY DEFINITIONS

DEFINITIONS OF 'CHARGER' AND 'CONTAINING PRODUCT'

It is unclear why a definition of "charger" is provided in the draft regulation when this term does not appear to be used in the text.

As highlighted in the CF meeting, the definition of 'containing product' as it is currently defined is problematic and redundant as it is not referenced within the draft regulation beyond the definitions section. Further, the reference to being able to turn off additional functions of this product (other than the supply of DC power) "without significant effort" opens great uncertainty in the interpretation of this definition. This would allow a loophole whereby manufacturers could design these additional functions to require significant effort to turn off and then their products would be exempt.

Action: Delete the definition of "charger" and improve the definition of "containing product".

DEFINITION OF WIRELESS CHARGER AND WIRELESS CHARGING PAD

This definition of wireless charger establishes the principle of non-wired connection twice in the same sentence and we consider that it could be simplified for clarity. Furthermore, the linkage / boundary between wireless chargers and wireless charging pads is currently unclear, and some aspects of the wireless charging pad definition appear better suited to the definition of wireless charger.

Action: Revise both definitions as follows:

(21) *'wireless charger' means a system used to charge without **wired connection or** contact of metallic conductors, removable or integrated rechargeable batteries typically used in the equipment*

included in Annex I, which ~~is not wired to this equipment and~~ has a nameplate output power not exceeding 250 watts. Wireless chargers meet all of the following criteria:

(a) they are designed to transmit power by inductive coupling;

(b) they are used with one or more separate devices that constitute the primary load;

(c) they are contained in a physical enclosure separate from the device or devices that constitute the primary load;

(d) they have a nameplate output power not exceeding 60 watts;

(22) 'wireless charging pad' means ***the enclosure that contains the inductive coupling that is used to transmit power without wired connection. The equipment to be charged can be placed near or on this inductive pad without the need to be precisely aligned or for there to be a wired connection or contact of metal conductors.***

FAILURE TO FULLY DECOUPLE EPS FROM PRODUCTS

COMMON CHARGER / UNBUNDLING NOT RESOLVED

The goal of the common charger initiative was to uncouple external power supplies from products, reducing the unnecessary proliferation of chargers. However, the text of article 3a that was inserted into the Radio Equipment Directive falls far short of this ambition. It is mandatory for sellers of radio equipment products in scope to offer the possibility to buy these products without any charging devices, but it does not prevent the sale of these product bundled with the charging devices. Further, it does not establish which should be the default option offered to the consumer. Yet it is assumed that considerable material savings and cost savings to consumers[11] are achieved through this initiative as a result of voluntary unbundling occurring simply due to interoperability. We consider that this approach overestimates savings due to weak voluntary initiatives and does not go far enough in decoupling EPS from products. As the without-EPS option is not required to be the default option and may not be clearly available to the consumer at point of sale, consumers are unlikely to choose it.

We therefore urge the Commission to address this issue through the revision of the External Power Supply regulation. Option G in the impact assessment is intended to address a "Mandatory unbundling option" but this is not what has been proposed. In fact, it appears that option G assumes that all the savings that were over-estimated for the RED as due to voluntary unbundling can also be counted as savings due to the revision of the EPS regulation, despite no unbundling requirements being included whatsoever in the review. **This is a significant double counting of savings that should be rectified. If no measures are proposed on unbundling in the EPS regulation revision, it is clearly not valid to claim savings linked to such measures.**

Action: Either exclude savings figures linked to unbundling from the impact assessment, or include the following text in the regulation:

[11] Cost savings assumed as a result of manufacturers reducing the price of products because an EPS is voluntarily not included. Material savings assumed because consumers buy fewer EPS.

Where an economic operator offers to consumers and other end-users the possibility to acquire the equipment referred to in Annex I, the default option offered shall be to acquire the equipment without external power supply and/or wireless charger.

CONFUSION OVER THE INTERACTION BETWEEN LEGISLATION AND STANDARDS

ERRONEOUS PERCEPTION OF CONFLICTING REQUIREMENTS

There appears to be some confusion in the impact assessment presentation of the Commission experts (slide 20) regarding the interaction between standards and regulation. It is claimed that standards "require" bundling of EPS and specific EPS types and receptacles for safety reasons for wet use environments. However standards cannot dictate or limit the requirements of legislation as they are voluntary whilst legislation is mandatory, therefore legislation takes precedence. Ecodesign legislation is developed within the boundaries of what is feasibly achievable, with the intent of improving upon the status quo by requiring changes to some of the worst performing products on the market, This may mean that standards also need to be revised to reflect legislation. In the case of EPS for products in wet environments, the discussion of the CF meeting highlighted that there are products on the market that do not align with the cited standards and that would support the approaches proposed in the review of the regulation. Therefore a revision of existing standards may be necessary.

Action: Clarify in the impact assessment that although these standards do not support certain configurations of EPS for wet environments there are innovative products on the market that do not comply with these standards, and therefore a standardisation request may be necessary to mandate ESOS to update these standards.

MARKET SURVEILLANCE AND COMPLIANCE

POOR COMPLIANCE TO THE REGULATION

The analysis of results from market surveillance authorities (MSAs) shows that there are notable numbers of EPS that fail to comply with the current regulation. For example, more than half of products tested in Germany (57%) were found to be non-compliant and around 40% of those tested in Denmark. This underlines the important role of MSAs in testing products and enforcing compliance with ecodesign regulations.

Action: Clarify within the impact assessment the actions being taken by member states to enforce compliance and consider how the revision to the regulation can address the problem of poor compliance for EPS.

MISSING POLICY SCENARIOS

DURABILITY

In the CF meeting it was claimed that it was not necessary to address reparability and durability of EPS due to safety concerns and the technical lifetime of the EPS exceeding the lifetime of the product it was sold with. It was claimed that the durability of cables was dealt with by requiring detachable cables. These arguments are flawed. It is a fundamental expectation that due to the common charger initiative EPS can and should last longer than the products they are supplied with. External power supplies contain notable quantities of embedded materials, therefore extending their lifetime is beneficial. Furthermore, concerns of safety and quality were raised repeatedly during the CF meeting that could be resolved by requirements on durability. Whilst there are existing standards on durability / quality, it is clear from market surveillance results that these are not being adhered to by much of the market. Therefore, mandatory durability requirements based on existing standards are essential to ensure that EPS quality is improved, reducing risks to the user and ensuring that common chargers are in use for as long as possible.

Action:
Durability requirements should be specified via a standardisation request to ESOs to develop a standard to support the revised EPS regulation on EPS and detachable cable durability. This should align with the ETSI Standard (ES 202 874-1) on 'External Common Power Supply for Customer Premises that EPS ' that EPS and detachable cables MUST have an expected lifetime of 10 years continual operation at maximum output power'.