

# LightingEurope Position on the EU Product Policy Framework Consultation

## Introduction

---

This position paper addresses the questions of the European Commission's [public consultation on the EU Product Policy Framework](#) launched in December 2018.

LightingEurope views the Circular Economy as a key opportunity for delivering growth and more value of lighting to society; it is one of the 4 pillars listed in the LightingEurope Strategic Roadmap for 2025.

When applying the principles of the Circular Economy to lighting products, it is important to do it in the right way. As the industry transitions away from conventional technologies to LEDs, intelligent lighting systems and human centric lighting, LightingEurope members are working together to shape the framework for the circular economy for new lighting technologies, products, business models and supply chains.

## Recommendations

---

- 1. Simplify EU rules. Set out requirements in limited number of pieces of legislation. Existing EU Policies need to be aligned better, to avoid conflicting policies over the same products.**

There are many policies that regulate the same products (see question 1.4 of [European Commission questionnaire on the Product Policy Framework](#), pg 10). The EU should ensure there is alignment between the different policies, to avoid a situation where policies reviewed in parallel for the same products propose conflicting obligations (e.g. Ecodesign vs RoHS phase-out timelines). Requirements should be set out in a limited number of laws only, and any updates to these requirements should again be included in revisions of these same laws, rather than in other, often not very relevant, pieces of legislation (e.g. ecodesign for product design requirements, RoHS/REACH for substance-related requirements, WEEE for recycling/end-of-life treatment processes, Green Public Procurement for encouraging the uptake of circular products.) This will help compliance and legal clarity, with suppliers and market surveillance authorities knowing where to look for the applicable requirements.

Product manufacturing and the various supply chains are global. The EU must make simple rules that any company can understand and apply, irrespective of its size, its position in the supply chain and its location on the globe.

## **2. Increase enforcement of existing EU rules by supporting Member State Authorities.**

The amount of non-compliant products that are placed on the market, also via online platforms, is a reason for concern for human health and the environment and competitiveness of responsible companies (see question 1.4 of the questionnaire, pg 10). The EU already has a significant number of rules and standards to ensure consumer safety and high levels of protection of human health and the environment.

The priority should therefore be to enforce the product legislation available, support national authorities and step-up market surveillance actions. This is very relevant for online platforms, where responsibility for non-compliant products should clearly be allocated to an economic actor within the EU jurisdiction.

In general terms, every new EU rule shall include defined minimum market surveillance requirements for Member States, such as a requirement for a minimum number of products to be tested by Member State authorities, by a certain date, etc.

## **3. Balance information requirements.**

There are many labels and information requirements that exist today and are in the policy pipeline (see question 2.1/and 2.2 of the questionnaire, pg 14-17). Rather than developing more labels, information requirements and new databases, what needs to be done is to first understand if today's labels are clear enough to help consumers understand the information and then consider a possible review. Information should be presented in a way that is relevant, but also digestible by consumers.

In the latest months, new databases have been set by the EU and there are some lessons we can learn from the first experiences. The Energy Labelling Database (EPREL), which is the latest one currently being implemented, raises serious concerns about language neutrality (guidelines are only available in English) and the vast amount of information requirements for every single product. From this experience, it is hard to believe that this type of databases helps consumer's choices and the access to information that is relevant and useful.

## **4. Maintain the approach of the New Legislative Framework.**

LightingEurope believes that the New Legislative Framework sets out the right approach for ensuring product safety. The Low Voltage Directive provides an exhaustive list of essential safety requirements and allows self-certification, based on a number of standards setting out how lighting products must satisfy these requirements. These provisions are sufficient to guarantee the protection of EU citizens.

Mandatory 3<sup>rd</sup> party verification systems on environmental information should not be required (see question 2.1 of the questionnaire, pg 15) <sup>1</sup>, instead emphasis should be shifted to providing more support to national authorities to enforce the rules and swiftly address non-compliance.

## **5. Product Environmental Footprint requirements should be voluntary.**

The European lighting manufacturing industry is committed to a responsible stewardship of its manufacturing process. LightingEurope believes that no mandatory requirements at EU level should be set for the time being. Companies are already engaged in assessing the environmental impact of their activities during the whole Life Cycle of a product and

---

<sup>1</sup> For more information, please refer to the LightingEurope Position Paper on the Low Voltage Directive Evaluation Consultation, found here: [https://lightingeurope.org/images/publications/position-papers/Position\\_on\\_the\\_evaluation\\_of\\_the\\_Low\\_Voltage\\_Directive\\_-\\_20180302.pdf](https://lightingeurope.org/images/publications/position-papers/Position_on_the_evaluation_of_the_Low_Voltage_Directive_-_20180302.pdf)

are sharing their best practices within LightingEurope (see question 4.3 of the questionnaire, pg. 26-27).

A mandatory LCA for all products would create a significant bureaucratic burden, considering that the results are, in some cases, already known. When assessing the LCA impact of lighting products, in most cases, more than 90% relates to the energy use of the product throughout its lifetime. An obligatory LCA may even hamper innovation if there is too much focus on only this argument without considering other intended functionalities and other elements that bring value, such as well-being from the use.

## **6. EU Policies must support the EU Industry as a Global Competitor.**

The European Union is in a position to help promote the EU industry and provide political guidance to foster European competitiveness (see question 1.1 of the questionnaire, pg 6). EU policies should therefore help facilitate this and develop actions, financial tools and political incentives to support the EU industry. LightingEurope and other Industry4Europe co-signatories call on the next European Commission to swiftly present an ambitious long-term EU industrial strategy, which shall include clear indicators and governance.<sup>2</sup>

LightingEurope is taking the lead in applying circular economy to lighting. Too strict requirements, an unjustified focus on single parameters (for example energy efficiency requirements that do not consider additional functionalities that can deliver value during a product's lifetime) and unclear definitions in legislation, may hamper innovation and tie-up resources that could be otherwise employed to deliver on the circular economy.

## **7. EU product rules must be adapted to longer product lifetimes.**

Different products will achieve the objectives of a circular economy in terms of longer lifetime in different ways, depending on their needs and characteristics. The EU Circular Economy policies should maintain a case-by-case, product focused approach that takes these particular features into account. (See question 2.2 of the questionnaire, pg 16-17).

## **8. Liability needs to be more clearly allocated along the value chain and the product's lifetime.**

With the introduction of requirements regarding reparability, upgradeability and serviceability, liability will need to be allocated more clearly across the various actors involved in a product's lifetime, in order to ensure both manufacturers and consumers have foreseeability in case of product failures and resulting damages (e.g. fire), (see question 1.1 of the questionnaire, pg 6). As this is not found in policies, outside Directive 85/374 EEC on liability of defective products and guidance in the Blue Guide, this will lead to uncertainty as to whom will be liable and from whom any responsibility can be claimed, which may lower the level of trust of consumers on circular products. LightingEurope is developing guidance on how to approach such situations stating when a service has to be carried out by a manufacturer, consumer or professional for lighting products and to whom liability is consequently attributed, in order to achieve a better circularity of the product.

## **9. Material efficiency standards: a tailor-made approach will be needed at the next stage.**

Today there is already a mandate M/543 to CEN-CENELEC on material efficiency. These horizontal standards, under development and expected in 2019, will pave the way to more circular product design and treatment at end-of-life stage. After this stage, a tailor-made approach may be necessary to help manufacturers of lighting products to move further

---

<sup>2</sup> For more information on the Industry4Europe Call to EU Policy-makers, please read the following paper: [https://www.industry4europe.eu/assets/Uploads/Joint-Call/e66ba4e2b3/EU-version\\_Joint-Call\\_2019-European-Elections\\_Industry4Europe.pdf](https://www.industry4europe.eu/assets/Uploads/Joint-Call/e66ba4e2b3/EU-version_Joint-Call_2019-European-Elections_Industry4Europe.pdf)

with circularity (e.g business-to-business/professional products have different needs and should have different standards). (See question 1.3 of the questionnaire, pg 7).

## Contact

---

For further information on this topic, please contact:

Elena Scaroni, Policy Director, LightingEurope, +32 (0) 474 73 04 46,  
[elena.scaroni@lightingeurope.org](mailto:elena.scaroni@lightingeurope.org).

Roumiana Kamenova, Policy Officer, LightingEurope, +32 (0) 497 45 51 00,  
[Roumiana.kamenova@lightingeurope.org](mailto:Roumiana.kamenova@lightingeurope.org)

*LightingEurope is the industry association that represents the lighting industry in Europe. We are the voice of more than 1,000 lighting companies that employ more than 100,000 Europeans and create an annual European turnover of over € 20 billion. Our daily mission is to advocate and defend the lighting industry in Brussels, while reconciling it with ongoing EU policy aims. In doing so, we are dedicated to promoting efficient lighting practices for the benefit of the global environment, human comfort, and the health and safety of consumers. More information is available on: [www.lightingeurope.org](http://www.lightingeurope.org).*