



# LIGHTINGEUROPE position on the draft regulation (WTO notification) of the EU Commission amending lamp regulations 244/2009 and 1194/2012, dated November 2014.

LightingEurope appreciates the efforts of the EU Commission to improve the energy efficiency of lamps and reduce misuse of "special purpose lamps"; nevertheless, it appears doubtful if postponing the entry into force of Stage 6 by 2018 can actually overcome the challenges that have been identified for 2016. It is to be expected that, despite a further decrease of prices for LED lamps within the next years, the availability and penetration rate for consumer lighting will not have changed significantly. It is the consumer who will take the final purchasing decision and who will increase the penetration rate of LED lamps, thus moving to a more environmentally friendly technology. Consumers will only do that when a 1:1 replacement of the well-known and appreciated domestic halogen eco lamps are widely available at an affordable price.

Depriving European consumers of domestic halogen eco lamps without offering them an affordable and comprehensively available replacement solution will result in a situation of general disappointment, missed opportunities for real energy savings on the longer run and loss of jobs, hampering the competitiveness of the European lighting industry. Especially now that the transformation process in the European lighting industry towards LED is in full course.

#### **LightingEurope recommends:**

- I. 2020 as earliest phase out for domestic halogen eco lamps;
- II. A better definition for "Special purpose lamps", which takes into account that:
  - loopholes need be closed (e.g. reinforced rough service lamps);

- the deletion of the proposed text "Special purpose lamps need to be the highest energy classes" is necessary, because it is not feasible and cannot be justified; and
- a reasonable transitional time shall be established.

## III. A future luminaires' design compatible of minimum class A+ not before 2020.

#### I. 2020 as earliest phase out for domestic halogen eco lamps

It is the overall shared perception that on the longer run all domestic halogen eco lamps that are at stake in this exercise will be replaceable and replaced by LED retrofit lamps. The European lighting industry invests huge financial and human resources in research and development to accelerate this transition. However, LED especially in domestic applications is still an emerging technology. This phenomenon is to be taken into account when addressing the issue of availability of LED based replacement solutions. The requirement of availability must not be mixed up with the appearance of LED replacement solutions on the European market, which will for the time being is predominately attractive for early adopters but not yet for the wider public, albeit the further penetration of these solutions is a mere question of time.

Reasonable estimations from industry side indicate that more than 200 million luminaires in European households¹ would factually become unusable under implementation of stage 6 requirements. Equivalent luminaires with a value of €10bn have to be replaced.

Moreover, the previous steps of 244/2009 have provided the biggest contribution to the energy savings of this regulation. A ban of domestic halogen eco lamps could also have a negative effect on future savings. The efficiency and quality of LED lamps is still increasing and for this reason halogen lamps are still the benchmark in respect of light quality.

#### II. A better definition for "Special purpose lamps"

It is of specific interest to all stakeholders that a revised definition will close existing loopholes in the legislation which currently allows for the legal placing on the market of special purpose lamps in worryingly increasing quantities. This misleads the consumer into believing that they are ordinary household lamps and in so doing deny all stakeholders of achieving the energy savings intended by the regulations.

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<sup>&</sup>lt;sup>1</sup> LightingEurope estimates based on "National lighting consumption and CFL penetration data" report, Paolo Bertoldi – Bogdan Atanasiu, 2007.

With the current definition nearly **any incandescent lamp can be declared a special purpose lamp**; particularly the so-called Rough-Service lamps, Low EMC lamps, Low UV lamps, temperature-resistant sauna lamps, "Heatball" lamps and similar definitions. The immediate efficiency gains and reduction in CO<sub>2</sub> of changing the special purpose definition and thus closing the loophole would amount to 11 TWh per year<sup>2</sup>.

Furthermore LightingEurope is very concerned about the introduction of the new clause in Art. 3.2 (a) of the proposed amendment to Commission Delegated Regulation (EU) No 244/2009 and Art. 2.2 of proposed amendment to Regulation 1194/2012 which sets out " Special purpose lamps shall always be of the highest energy efficiency class possible according to Commission Delegated Regulation (EU) No 874/2012, for the intended special application, if they are within the scope of the aforementioned Regulation. Instead of closing loopholes, the phrase is a vague sentence which opens new loopholes and does not foster enforceability. Who defines what is the highest possible efficiency class for these special lamps? Last but not least, LightingEurope is also very concerned about the entry into force of the new clauses on Special Purpose Lamps without a reasonable transitional time period, which is necessary for a workable implementation of the new measures. This also raises a legal question: can it be that the timing of enforced obsolescence of a product would be set by a competitor's published specifications claiming highest efficiency (whether or not achieved in reality), rather than by a clear timeline stated in official legislation? This dangerous requirement can lead to a monopoly situation. The clause is too loosely defined such that its implementation would be determined by factors beyond the control of EU Commission.

Based on the above, deletion of the proposed new articles cited above appears to be justified.

### III. A future luminaires' design compatible of minimum class A+ not before 2020.

LightingEurope has read with high interest the Commission's initiative of amending Regulation 1194/2012 introducing a provision that luminaires should be compatible with LED technology to prevent future obstacles to efficient lighting. From LightingEurope's point of view this is an approach that is to be embedded in the concept of a coherent lighting strategy. Nevertheless the proposed date of 1st September 2016 is too ambitious:

 LED is not the only efficient lighting technology and may not be suited to all applications (e.g. compatibility with control devices and light distribution);

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<sup>&</sup>lt;sup>2</sup> Based on EUROSTAT data.

The development of LED lamps and modules is still very rapid and the availability of new/current products, even in 6 months' time, is unknown. The format of new LED lamps and modules that will be available in 2016 is unknown;

The equivalence of compatible LED lamps needs to be fully considered also from an installation perspective (light distribution, quantity and quality of light). Based on the above arguments LightingEurope recommends 2020 as realistic requirement for luminaires to be compatible with class A+ lamps.

LightingEurope is an industry association of 33 European lighting manufacturers, national associations, and companies producing materials. LightingEurope members represent over 1,000 European companies, a majority of which are SMEs; a total workforce of over 100,000 people in Europe; and an annual turnover estimated to exceed 20 billion euros. LightingEurope is dedicated to promoting efficient lighting practices for the benefit of the global environment, human comfort, and the health and safety of consumers.

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