Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012 (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2019/2015

of 11 March 2019

supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU[(1)], and in particular Article 11(5) and Article 16(1) thereof,

Whereas:

(1) Regulation (EU) 2017/1369 empowers the Commission to adopt delegated acts as regards the labelling or rescaling of the labelling of product groups representing significant potential for energy savings and, where relevant, other resources.

(2) The Ecodesign Working Plan 2016-2019[(2)] established by the Commission in application of Article 16(1) of Directive 2009/125/EC of the European Parliament and of the Council[(3)] sets out the working priorities under the ecodesign and energy labelling framework for the period 2016-2019. The Ecodesign Working Plan identifies the energy-related product groups to be considered as priorities for the undertaking of preparatory studies and eventual adoption of implementing measures, as well as the review of the current regulations.

(3) Measures from the Ecodesign Working Plan have an estimated potential to deliver in total in excess of 260 TWh of annual final energy savings in 2030, which is equivalent to reducing greenhouse gas emissions by approximately 100 million tonnes per year in 2030. Lighting is one of the product groups listed in the Ecodesign Working Plan, with an estimated 41,9 TWh of annual final energy savings in 2030.

(4) Provisions on the energy labelling of lighting products, namely electrical lamps and luminaires, were established by Commission Delegated Regulation (EU) No 874/2012[(4)].

(5) Lighting products are among the priority product groups mentioned in Article 11(5)(b) of Regulation (EU) 2017/1369 for which the Commission should adopt a delegated act to introduce an A to G rescaled label.

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2019/2015. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) Delegated Regulation (EU) No 874/2012 contains a review clause in Article 7 requiring the Commission to review the Regulation in light of technological progress.

(7) The Commission has reviewed Delegated Regulation (EU) No 874/2012 and analysed the technical, environmental and economic aspects of lighting products as well as real-life user behaviour. The review was carried out in close cooperation with stakeholders and interested parties from the Union and third countries. The results of the review were made public and presented to the Consultation Forum established by Article 14 of Regulation (EU) 2017/1369.

(8) The review concluded that there was a need to introduce revised energy labelling requirements for lighting products, namely for light sources.

(9) The environmental aspect of light sources that has been identified as significant for the purposes of this Regulation is energy consumption in the use phase.

(10) The review has shown that the electricity consumption of products subject to this Regulation can be further reduced significantly by implementing energy label measures.

(11) As this Regulation discontinues the energy label specifically dedicated to luminaires in Delegated Regulation (EU) No 874/2012, suppliers of luminaires should be exempted from the obligations related to the product database established under Regulation (EU) 2017/1369.

(12) Recognising the growth of sales of energy-related products through internet hosting platforms, rather than directly from suppliers' and dealers' websites, it should be clarified that internet sales platforms should be responsible for enabling the displaying of the label provided by the supplier in proximity to the price. They should inform the dealer of that obligation, but should not be responsible for the accuracy or content of the label and the product information sheet provided. However, in application of Article 14(1)(b) of Directive 2000/31/EC of the European Parliament and of the Council[(5)] on electronic commerce, such internet hosting platforms should act expeditiously to remove, or to disable access to, information about the product in question if they are aware of the non-compliance (e.g. missing, incomplete or incorrect label or product information sheet), for example if informed by the market surveillance authority. A supplier selling directly to end-users via its own website is covered by dealers' distance selling obligations referred to in Article 5 of Regulation (EU) 2017/1369.

(13) This Regulation should specify tolerance values for lighting parameters taking into account the approach to information declaration laid down in Commission Delegated Regulation (EU) 2017/254[(6)]

(14) The measures provided for in this Regulation were discussed by the Consultation Forum and the Member States' experts in accordance with Article 14 of Regulation (EU) 2017/1369.

(15) Delegated Regulation (EU) No 874/2012 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

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Article 1

Subject matter and scope

1 This Regulation establishes requirements for the labelling of, and the provision of supplementary product information on, light sources with or without integrated control gear. The requirements also apply to light sources placed on the market in a containing product.

2 This Regulation shall not apply to light sources specified in points 1 and 2 of Annex IV.

3 Light sources specified in point 3 of Annex IV shall comply only with the requirements in point 4 of Annex V.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

(1) 'light source' means an electrically operated product intended to emit, or, in the case of a non-incandescent light source, intended to be possibly tuned to emit, light, or both, with all of the following optical characteristics:

(a) chromaticity coordinates x and y in the range:

$0,27 < x < 0,53$; and

$- 2,3172\ x^2 + 2,3653\ x - 0,2199 < y < - 2,3172\ x^2 + 2,3653\ x - 0,1595$;

(b) a luminous flux < 500 lumen per mm^2 of projected light-emitting surface area as defined in Annex I;

(c) a luminous flux between 60 and 82 000 lumen;

(d) a colour rendering index (CRI) > 0;

using incandescence, fluorescence, high-intensity discharge, inorganic light emitting diodes (LED) or organic light emitting diodes (OLED), or their combinations as lighting technology, and that can be verified as a light source according to the procedure of Annex IX.

High-pressure sodium (HPS) light sources that do not fulfil condition (a) are considered light sources for the purposes of this Regulation.

Light sources do not include:

(a) LED dies or LED chips;

(b) LED packages;

(c) products containing light source(s) from which these light source(s) can be removed for verification;

(d) light-emitting parts contained in a light source from which these parts cannot be removed for verification as a light source.

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(2) 'control gear' means one or more devices that may or may not be physically integrated in a light source, intended to prepare the mains for the electric format required by one or more specific light sources within boundary conditions set by electric safety and electromagnetic compatibility. It may include transforming the supply and starting voltage, limiting operational and preheating current, preventing cold starting, correcting the power factor and/or reducing radio interference

The term 'control gear' does not include power supplies within the scope of Commission Regulation (EC) No 278/2009[7]. The term also does not include lighting control parts and non-lighting parts (as defined in Annex I), although such parts may be physically integrated with a control gear or marketed together as a single product.

A Power over Ethernet (PoE) switch is not a control gear in the sense of this Regulation. 'Power-over-Ethernet switch' or 'PoE switch' means equipment for power-supply and data-handling that is installed between the mains and office equipment and/or light sources for the purpose of data transfer and power supply;

(3) 'containing product' means a product containing one or more light sources, or separate control gears, or both. Examples of containing products are luminaires that can be taken apart to allow separate verification of the contained light source(s), household appliances containing light source(s), furniture (shelves, mirrors, display cabinets) containing light source(s). If a containing product cannot be taken apart for verification of the light source and separate control gear, the entire containing product is to be considered a light source;

(4) 'light' means electromagnetic radiation with a wavelength between 380 nm and 780 nm;

(5) 'mains' or 'mains voltage' (MV) means the electricity supply of 230 (± 10 %) volt of alternating current at 50 Hz;

(6) 'LED die' or 'LED chip' means a small block of light-emitting semiconducting material on which a functional LED circuit is fabricated;

(7) 'LED package' means a single electric part comprising principally at least one LED die. It does not include a control gear or parts of it, a cap or active electronic components and is not connected directly to the mains voltage. It can include one or more of the following: optical elements, light converters (phosphors), thermal, mechanical and electric interfaces or parts to address electrostatic discharge concerns. Any similar light-emitting devices that are intended to be used directly in an LED luminaire, are considered to be light sources;

(8) 'chromaticity' means the property of a colour stimulus defined by its chromaticity coordinates (x and y);

(9) 'luminous flux' or 'flux' (Φ), expressed in lumen (lm), means the quantity derived from radiant flux (radiant power) by evaluating the electromagnetic radiation in accordance with the spectral sensitivity of the human eye. It refers to the total flux emitted by a light source in a solid angle of 4π steradians under conditions (e.g. current, voltage, temperature) specified in applicable standards. It refers to the initial flux for the undimmed light source after a short operating period, unless it is clearly specified that the flux in a dimmed condition or the flux after a given period of operation is intended. For light sources that can be tuned to emit different light spectra and/or different maximum light intensities, it refers to the flux in the 'reference control settings' as defined in Annex I;

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(10) 'colour rendering index' (CRI) means a metric quantifying the effect of an illuminant on the colour appearance of objects by conscious or subconscious comparison with their colour appearance under the reference illuminant and is the average Ra of the colour rendering for the first 8 test colours (R1-R8) defined in standards;

(11) 'incandescence' means the phenomenon where light is produced from heat, in light sources typically produced through a threadlike conductor ('filament') which is heated by the passage of an electric current;

(12) 'halogen light source' means an incandescent light source with a threadlike conductor made from tungsten surrounded by gas containing halogens or halogen compounds;

(13) 'fluorescence' or 'fluorescent light source' (FL) means the phenomenon or a light source using an electric gas discharge of the low-pressure mercury type in which most of the light is emitted by one or more layers of phosphors excited by the ultraviolet radiation from the discharge. Fluorescent light sources may have one ('single-capped') or two ('double-capped') connections ('caps') to their electricity supply. For the purposes of this Regulation, magnetic induction light sources are also considered as fluorescent light sources;

(14) 'high intensity discharge' (HID) means an electric gas discharge in which the light-producing arc is stabilised by wall temperature and the arc chamber has a bulb wall loading in excess of 3 watts per square centimetre. HID light sources are limited to metal halide, high-pressure sodium and mercury vapour types as defined in Annex I;

(15) 'gas discharge' means a phenomenon where light is produced, directly or indirectly, by an electric discharge through a gas, plasma, metal vapour or mixture of gases and vapours;

(16) 'inorganic light emitting diode' (LED) means a technology in which light is produced from a solid state device embodying a p-n junction of inorganic material. The junction emits optical radiation when excited by an electric current;

(17) 'organic light emitting diode' (OLED) means a technology in which light is produced from a solid state device embodying a p-n junction of organic material. The junction emits optical radiation when excited by an electric current;

(18) 'high-pressure sodium light source' (HPS) means a high intensity discharge light source in which the light is produced mainly by radiation from sodium vapour operating at a partial pressure of the order of 10 kilopascals. HPS light sources may have one ('single-ended') or two ('double-ended') connectors to their electricity supply;

(19) 'point of sale' means a physical location where the product is displayed or offered for sale, hire or hire-purchase to the customer.

For the purposes of the Annexes, additional definitions are set out in Annex I.

Article 3

Obligations of suppliers

1 Suppliers of light sources shall ensure that: