



ORGALIME ADDITIONAL COMMENTS
ON FIRST MEETING OF THE CONSULTATION FORUM
UNDER DIRECTIVE 2005/32/EC ON
ECO DESIGN OF ENERGY USING PRODUCTS

Brussels, 20 July 2007

GENERAL REMARKS

Orgalime supports the Commission's introductory outline on the character of the Consultation Forum as a stakeholder body to voice opinions and to act as an exchange platform of informative nature where no votes take place. For the purpose of transparency, Orgalime considers it primarily relevant that the different opinions articulated orally or in writing in the Forum, are made fully available to the Regulatory Committee in due time before any vote in this committee.

For the same reason, Orgalime also supports that all meeting documents are uploaded on the CIRCA website. Orgalime herewith requests access to this website.

Orgalime is committed to contribute actively to the Consultation Forum and the implementation of the Eco Design directive more generally. Orgalime industries are extensively involved in the conduct of the different product group studies that are currently ongoing for some 15 and soon 19 product groups in parallel. Orgalime has also contributed to the Commission's consultation on different energy policy related Commission initiatives, such as the Green Paper on Energy or Energy Efficiency and will organise an energy policy workshop at the occasion of its next General assembly on 22 November 2007 in Brussels.

Only recently, a new sectoral experts group called "Electra" has been launched to determine where the electrical and electronics industry today provides innovative technologies and products, which contribute substantially towards promoting energy efficiency and CO₂ reduction in different industrial systems and processes and in consumer products. Barriers to adopt such technologies are to be identified as well as ways for improving the uptake of these technologies and products in the market.

Orgalime will also continue contributing to the debate on further planned Commission initiatives, such as the "Action Plan on Sustainable Consumption and Production" and "Greening Industrial Policy" more particularly.

Orgalime appreciates the additional time granted to members of the Forum to comment to the first meeting of the Consultation Forum considering the tardy submission of working documents to this meeting and welcomes the Commission's commitment to further on submit working documents in line with the rules of procedures for the Forum as discussed during this meeting.

COMMENTS ON DRAFT RULES OF PROCEDURES

- ORGALIME supports the proposed amendment of the draft rules of procedures with a new article 4.2(bis), which would allow complementary statements of members of the Consultation Forum to be submitted within three weeks after a meeting of the Forum. ORGALIME also supports the amendment of shortening of the proposed two weeks deadline to one week for members of the Consultation Forum to submit complementary working documents to the Chairman and that such documents will be made available to the members of the Consultation Forum upon reception.
- Orgalime welcomes that the Commission has agreed that members of the Forum should be allowed to propose agenda points.
- As raised by member states during the meeting, representativity in the Forum should be flexible in a way that, in addition to permanent delegates, experts can attend the meeting where appropriate.
- Since the Commission will invite members to comment on working document rather than considered draft implementing measures, Orgalime requests that in case of introduction of new elements, which have not been included in the submitted preceding working document for an implementing measure and therefore have not been subject of discussion in the Forum, such new elements should be discussed within the Consultation Forum before the Regulatory Committee commences its work.
- Orgalime welcomes the Commission's announcement that it will submit the draft working plan for consultation to the Forum before its final adoption by the Commission.

COMMENTS ON WORKING DOCUMENT ON POSSIBLE ECO DESIGN REQUIREMENTS ON STREET LIGHTING

ORGALIME supports the joint position of ELC/CELMA and has the following particular remarks on implementing measures in general and on the above mentioned working document more particularly:

- ORGALIME fully supports the Commission's stated view that, following the letter of the directive, the directive does not include a mandate for the Commission to go beyond what is BAT available on the market today. Regarding the date of entry into force and a staggered entry into force also, in our view, implementing measures cannot go beyond the data that are available today. Nonetheless, other instruments to create dynamic effect and to stir the market to accompany implementing measures should be considered more generally.
- Orgalime supports addressing issues related to market surveillance and enforcement horizontally in the context of the Commission's recently tabled Marketing of Products Package. Nevertheless, we feel that implementing measures could include a reference to oblige member states to build a network of enforcement authorities.
- In the light of securing free movement of goods in the internal market, Orgalime requests the Commission to apply article 5 of the directive to the 12 parameters on which the study concluded that no requirements would be necessary. Also, the implementing measure should mention the following directives to apply to the products in the scope of the implementing measure, e.g.: Directives 2002/95/EC on RoHS, 2002/96/EC on WEEE or Regulation (EC) 1907/2006 on REACH.

- Notwithstanding the product related focus of the Eco Design directive, we believe that the Commission should in its implementation of the Eco Design directive consider to the extent possible how to address the fact that for many targeted products, the full potential of energy efficiency improvements can only be explored if a broader approach is taken, which addresses the systems, into which such products are incorporated, e.g.: compressors and pumping systems.
- In general, information obligations under the Eco Design directive should be implemented in an as easy as possible a way, without of course compromising their intended purpose. For example, for practically implementing the reuse and treatment information under article 11.1 of directive 2002/96/EC on WEEE, the regulator allows such information to be made available in the form of manuals or by means of electronic media (e.g.: CD Rom or online services). This, in our view, is a workable approach that should also be applied for the Eco Design directive. While particular labeling requirements on the product itself can be a useful tool for raising awareness on the product's performance including on environmental aspects, in the field of consumer products, Orgalime takes the view that mandatory labeling requirements are less useful in the area of professional goods in business-to-business relationships.