

## **Comments on the Council Common Position on the Framework Directive on Energy Using Products**

As the representative of companies manufacturing 95% of all European-produced lamps, ELC<sup>1</sup> welcomes this legislation as an important element of efforts to promote greater use of more energy efficient products. With a range of energy-efficient lamps already developed and available on the European market, ELC is already working towards developing partnerships with regulators and other stakeholders, including CELMA<sup>2</sup>, to encourage the increased use of energy-efficient alternative lamps through the envisaged Implementing Measures.

With regard to the Council Common Position, consistent with our views expressed with others at First Reading<sup>3</sup>, ELC believes that it incorporates well the legislation's objectives in a practical way and therefore moves closer to providing a truly effective framework for the goal of improving energy efficiency throughout Europe. To ensure that the final framework reflects the **unique situation of the European lamp industry**, we therefore urge the European Parliament to support the main thrust of Council text.

That said, if the foreseen Implementing Measures are to deliver real improvements without causing unintended problems for European lamp manufacturers, we also encourage the Parliament to pursue the following key issues:

- For the legislation to operate successfully it is **critical** that the provisions on market surveillance are backed up by **effective Member State enforcement** on the ground. Ideally, for example, the requirement for conformity tests for lamp products carrying the CE Mark should be carried out 'on the spot'. Without this, ELC fears that illegal free riders will undermine the potential benefits of the legislation, to the detriment of consumers, companies making genuinely conforming lamps, and ultimately well-intentioned legislators. **ELC therefore supports the Parliament's new recommendations for stricter rules on market surveillance - amendments 6, 11 and 20.**
- Because only 1% of lamp energy consumption occurs during the design/manufacture phase, changing consumer (public and private) behaviour to effect the 99% of lamp energy use is THE essential ingredient to achieving better energy efficiency. As this impact is overwhelmingly related to energy consumption, the reduction in lamp energy use is THE essential ingredient to achieving better energy efficiency and the overall improvement of the environmental performance of lamps. Consequently ELC **supports the adoption by the Council of the Parliament first reading amendment 31 and urges that any amendment that seeks to undermine it is rejected.**
- With energy-efficient alternatives already widely available on the EU market, the main way to achieve results in the lamp sector is through influencing purchasing behavior. Lamp industry initiatives that do not involve other key stakeholders will therefore not suffice. We believe that the best way to convince and encourage end users to adopt energy efficient lighting alternatives in the short term is through a combination of **enforcement of existing legislation, additional incentives and promotional measures** that work in partnership with others. ELC will make suggestions accordingly.

ELC urges the Parliament to seek rapid agreement with the Council along the above lines so that the lamp industry and its partners can work with clarity and speed to develop **effective** Implementing Measures.

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<sup>1</sup> The members of ELC are Aura Light AB, BLV Licht und Vakuumtechnik GmbH, GE Lighting Europe, LEUCI SpA, NARVA lichtquellen GmbH, OSRAM GmbH, Philips BV and Sylvania Lighting International. These companies employ 50,000 people in Europe and account for 5 billion Euro European turnover.

<sup>2</sup> CELMA, the European Federation for National Manufacturers Associations for Luminaires and Electrotechnical Components for Luminaires, welcomes the initiatives of the ELC with regard to the coming EuP Directive. CELMA, having itself deployed several initiatives on energy efficiency, is convinced of the positive effect of the market transformations that would result from ELC suggestions being applied in practice. CELMA will assist the ELC at all stages of the discussions and actions.

<sup>3</sup> See joint position paper on the EuP Proposal by ELC, Eurocommerce and CECED, January 2004