

ELC Position Paper on CE Marking of Electric Light Sources

The European Lamp Companies Federation (ELC) represents the major manufacturers of electric light sources in Europe

The Issue:

Regarding the New Approach Directives, the light source products manufactured by the members of the ELC are regulated by two principal Directives, the Electromagnetic Compatibility Directive (89/336/EEC) and the Low Voltage Directive (LVD) (73/23/EEC).

As a result of the amended LVD Council Directive 93/68/EEC the ELC members are required to apply CE markings to their products as a mandatory requirement from January 1st 1996 under the EMC and from January 1st 1997 under the LVD.

The LVD Council Directive 93/68/EEC provides that

"The CE conformity marking ... shall be affixed by the manufacturer or his authorized representative established within the Community to the electrical equipment or, failing that, to the packaging, the instruction sheet or the guarantee certificate so as to be visible, easily legible and indelible."

Some Member States have implemented the LVD in such a way as to give the manufacturer discretion on to which of the 4 items the CE marking is placed. However, there is currently inconsistency on this point between Member States.

The meetings of Government Experts preparing guidelines for the LVD and EMC Directives have not lead to unambiguous criteria for those cases where affixing the CE mark other than on the product itself would be allowed.

In the LVD Guidelines (dated July 1997) issued by the European Commission, the following statement is given in paragraph 24:

The "CE" conformity marking is placed by the manufacturer or his authorized representative established in the Community on the electrical equipment or, failing that, on the packaging, the instructions for use or the guarantee. In spite of the differences in this point between the various linguistic versions of the Directive, in order to ensure consistency and prevent unjustified burdens, Article 10(2) of the Directive should be read as establishing the following order of priority: the "CE" mark must be placed on the product or, if this is not feasible (under technical/economic conditions which are reasonable in the light of the proportionality principle) on the packaging, the instructions for use or the guarantee.

There are some cases where it is clearly not feasible to affix a CE mark to the product itself. There are other cases where it is less clear what is feasible and what is not. To achieve consistency and clarification, it is necessary that a uniform system is adopted.

The situation regarding electric light sources:

In order to harmonize throughout the European Economic Area the interpretation of whether CE marketing is feasible on different types of light sources, Members of the ELC have investigated their product ranges. Taking into account physical limitations, presently installed manufacturing and marking equipment and costs associated with the introduction of additional markings on the product itself the following conclusions have been reached:

1. Electronic light sources which fall within the scope of both the EMC and the LVD (primarily compact fluorescent lamps and with integrated ballast), because of their electronic circuitry, shape and dimensions, in general offer sufficient possibilities to affix the CE marking on the product.
2. Linear fluorescent lamps and compact fluorescent lamps without integrated ballast (which are covered only by the LVD) also have sufficient space for an additional mark without causing any significant interference with more critical safety and product information already present or required on the product. Also, the cost of modifying production lines of these tubular lamps to add the CE mark is considered as acceptable.
3. Most filament lamps (incandescent and halogen) have very limited space on the glass bulb for additional marking. Given current technology, CE marking of these lamps which have mostly spherically curved glass surfaces would require major investments in new marking, the cost of which becomes disproportionately high.
4. In case the smallest version(s) of a product range to be CE-marked cannot accommodate the minimum size CE mark, further size reduction is allowed as long as the CE mark can be clearly identified.
5. Similar to filament lamps most high intensity gas discharge (HID) lamps have either spherically curved glass or delicate quartz surfaces that necessitate major modifications to add a mark with the production machinery presently in place.
6. Because light sources are breakable glass products they are always sold in their specific protective packing. The packaging can, therefore, be considered as an integral part of the product from the point of view of a buyer or inspector. In its efforts to reduce packaging waste and the associated use of natural resources the lamp industry has increasingly introduced packing concepts that do not allow opening for inspection of the product at the point of sale without destroying the integrity of the packaging. Therefore, all lamp packaging should be CE marked because this is what the buyer and inspector see at the point of sale.

The harmonized interpretation of the lighting industry:

In view of the above considerations and to provide clarity of legal requirements in different Member States, the ELC advises its members to adhere to the following rules:

- All lamps will carry a CE mark on their packaging.
- Light sources covered by the LVD and not by the EMC Directive (primarily incandescent, high voltage halogen and high intensity discharge lamps) will have the CE mark affixed to the packaging only.
- Linear fluorescent lamps and compact fluorescent lamps without integrated ballast, although covered by the LVD only, will carry the CE mark both on the product itself and on the packaging.

- Lamps covered by both the LVD and the EMC Directive (primarily compact fluorescent lamps with integrated ballast) will have the CE mark on both the product itself and the packaging.
- To the extent that a CE mark is needed on the product itself, all light sources manufactured after December 31, 1997 will be so marked. Unmarked products manufactured prior to 31 December 1997 may be offered for sale in the market place up to two years after that date. However, this is outside the control of the ELC members.

The addresses:

This statement is sent to the European Commission and to the appropriate National Authorities within the European Economic Union in order to achieve a single interpretation and consequently a harmonized procedure for the CE marking of electric light sources. It reflects the lamp industry's best efforts to comply with European legislation, given the huge variety and complexity of its products and manufacturing technologies.