 Minutes

Meeting of the Consultation Forum under Article 18 of Directive 2009/125/EC on Energy-related Products on Voluntary Agreements

Brussels, 12 June 2014 (10.00 - 16.00)

Participants: See Annex.

1. Welcome and Introduction

The Chair welcomed the participants and recalled the purpose of the meeting, dedicated to voluntary agreements under the ecodesign framework. He then introduced the representatives of the Commission present in the room.

2. Adoption of the Agenda

The Chair presented the agenda and asked for any modifications or suggestions. The agenda was approved without any change.

3. Guidelines on the Self Regulation Measures Concluded by Industry

The Commission gave a presentation to illustrate the latest version of the guidelines which aim to codify general requirements and assure coherence between different Voluntary Agreements (VAs). This latest draft intends to address a number of issues that were raised since the last discussion in October 2013 and aims at improving the credibility of voluntary agreements by the industry as a substitute to mandatory regulation. This concerns in particular:

- Market share: The draft guidelines propose market share coverage of at least 80% of units sold. Quota verification after a new signatory has joined has been eliminated and a periodical verification has been added to address possible changes in the market as result of new products placed on the market or of technology evolution. Some indicators are now suggested. Moreover, 100% compliance of products by each signatory (as for products covered by mandatory measures) would simplify compliance controls (e.g. no need of verification of relative quotas of the non-compliant products by each signatory).
- Independent Inspector (II): The draft guidelines propose for the independent inspector to be appointed by the Commission, instead of by the Steering Committee (SC) as is currently the case. VA signatories would continue to bear the IS costs.

- Auditing: Auditing involves a considerable burden for both the audited signatory and the II. The new proposed text aims at replacing auditing with testing activities which is better aligned with the practice of national market surveillance authorities for products under mandatory measures.

- Transparency: To improve transparency of VAs especially towards consumers, the draft guidelines propose the publication of a list of compliant products and products that are "tested" and verified as compliant by an IS.

- Penalties: As indicated in an answer to a parliamentary question on voluntary agreements (OJ C 138 E, 07/05/201) in the absence of controls, fines or other penalties by national market surveillance authorities, at least naming-and-shaming should be possible for signatories providing false/incomplete compliance declarations.

In the ensuing discussion the following key points were raised:

**DE** welcomed and supported the guidelines. In particular, the increase of market coverage was appreciated next to improvements on monitoring. A review 'clause' and a clarification of 'units', 'models' and 'products' in the text was suggested to improve coherence.

**NL** welcomed the improved guidelines and encouraged quick adoption. NL suggested that, similar to the preambles of regulations, VAs include a clear statement on expected savings in the 'Objectives' section.

**ANEC** agreed with NL on the need of targeted savings to be highlighted in the specific VA. ANEC strongly supports the move towards a compliance mechanism closer to what market surveillance authorities perform. To date, the IS reports just mention checks on compliance declarations from signatories but we should move to testing for 100% compliance. Otherwise signatories could claim that the failed products tested fall in the 10% of products that do not need to be compliant. ANEC is also pleased to find a 'naming-and-shaming' sanction, but suggested to include also 'financial' penalties. ANEC also questioned the situation of the 20% of products not covered by the VA: how are these products controlled in the market?

Also **SK** questioned the position of free-riders that do not sign the VA and are thus not subject to any form of control or sanction.

**DK** complimented the Commission for the work done in the latest version of the guidelines and welcomed the idea of including more than one tier in self-regulations. DK suggested speaking of 'specific requirements' and 'generic requirements' (including information) instead of ecodesign and information requirements.

**UK** questioned how the Commission would assess if a proposal from the industry is a valid alternative to other implementing measures? How to 'validate' that a proposed VA can deliver objectives more quickly and meets the criteria of the Directive?

The EC responded that the impact assessment compares the different possible scenarios, including comparing a VA with mandatory regulation options.

**ECOS** welcomed this revised version of the Guidelines and questioned the alignment of existing, recognised VAs with the guidelines. ECOS believes that the VAs currently
under review should be aligned before the endorsement by the Commission and not wait until the next revision.

CSTB-VA also questioned the timing for making the current VA compliant with the guidelines, especially in view of the compliance period that is currently from July of year x to June of year x+1, instead of January to December. Moreover, it is not clear how an II would randomly select one or more products and how to apply sanctions if signatories belong to different categories (i.e. suppliers, resellers, service providers).

VAPRINT raised concerns about 'models' and 'units' put on the market and the minimum quota of 90% to be assessed as compliant. Compliance should be better defined in the guidelines, as there are many different models and units per model for each product and this needs to be reflected in the minimum quota.

SK insisted on the need of knowing the number of compliant units made available on the market or sold rather than compliant models placed on the market.

VAPRINT emphasised that units put on the market is the number that signatories can provide ex ante only.

BEUC welcomed the improved guidelines but reiterated its long-stated opposition to self-regulation as an acceptable alternative to mandatory regulations. In any case, BEUC (supported by ANEC) considers that the recognition of existing or new voluntary agreements should be under the condition that they fulfil the guidelines' criteria.

ANEC questioned whether the fact that testing costs are to be borne by signatories, would not have a negative impact on compliance, as a low budget made available by the industry would limit the number and/or quality of compliance tests.

UK expressed sympathy for the comment from ANEC but recalled that for products under mandatory regulations to be tested by market surveillance authorities, similar, and different, budget limitations apply in the Member States.

ORGALIME considered that the guidelines are too detailed and overly complex, and asked the Commission if endorsement of a VA will be based on checking if each of the rules was addressed. On the 20 percent not covered by a VA, ORGALIME considered that if only that 20% would not be compliant this would be already a very good result.

The Chair recalled that comments to improve the guidelines are welcome. Nevertheless, the Guidelines are not a legal text but intended to provide guidance to industry and the Commission when assessing a VA proposal. They are not meant as a 'tick-box' exercise and can be reviewed.

EEB thanked the Commission for the improved version of the guidelines and encouraged a quick adaptation of existing VAs. EEB suggested that a proposed VA should provide strong evidence that the VA would bring added value compared to a regulation. In existing VAs the preliminary studies provided such a justification but if new versions are proposed, each new version should provide objective, measurable data demonstrating the further added value compared to BaU or mandatory regulation. Finally, a clause to address free-riders should be conceived, with signatories being committed to control competitors.

VAPRINT suggested asking DG Competition to assess market coverage and challenge the industry to demonstrate that they cover at least 80% of market.

BE raised the issue of free riders from a MS perspective: it is possible that in a specific country no or very few companies are signatories. This means that although over 80% of the entire EU market would be covered, in a specific MS there may be virtually no coverage. What could a MS do to address this?
UK questioned the impact of a VA on the single market.

In response to several comments, the Chair concluded that existing VAs should be aligned as soon as possible, taking into account the status of the specific VA review process. As regards the assessment of VAs, the Directive leaves scope for interpretation and the Commission will assess the impact of the various options, comparing BaU, a VA proposal or mandatory regulations.

Further written comments can be sent in until 10 July 2014.

4. IMAGING EQUIPMENT

The Independent Inspector for the Imaging VA presented the role of the II and the activities undertaken so far. The II verifies the declarations provided by signatories for a specific reporting period, highlights incomplete or inconsistent data and evaluates data, and produces a report published on the VA website. As regards compliance, during the first reporting period 8 out of 17 signatories declared compliance above 90% for their products. During the second, third and fourth reporting periods 2 signatories declared non-compliance meaning that overall compliance is now declared as approaching 98% of the units put on the market by the 16 signatories. One signatory has repeatedly declared non-compliance and is still non-compliant.

BE asked if the compliance 85% threshold refers to products/models placed on the market or to units sold.

The II replied that non compliance declared by one signatory is about 15% of the units placed on the market. He also recalled that the data summarised in the sheet is exclusively based on self-declarations.

TENVIC asked about compliance rates as compared to BaU. More specifically, the USA EPA publishes data about Energy Star compliance and in 2011 93% of imaging products received the Energy Star label, notwithstanding no VA being in place in the US.

The II replied that such an assessment was not part of its mandate.

VAPRINT added that the figures in the US are based on models and not on units sold.

OECO Institut (also on behalf of ANEC and BEUC) questioned the value added of the reporting as it is based exclusively on self-reports by manufacturers without auditing or testing, only part of the requirements has been assessed (only 4.1 and not, for example, 5.1 and 5.2), and there is no sanction for non-compliance. Moreover, there is no reliable, independent information on the market coverage, particularly as regards the impact of the non-compliance. Finally, the process lacks transparency as the report is anonymous, there is no list of non-compliant products and no names of non-compliant signatories.

The II replied that to date no auditing has taken place as this was not part of the II mandate.

ANEC recalled that after 3 years, no auditing and no testing has taken place under this VA. This underlines the importance of the changes proposed to the guidelines, switching from self-declarations to an independent testing process.

1 http://www.eurovaprint.eu/pages/compliance/

2 Kodak retired from the VA
DE recalled that the reporting covers exclusively section 4.1 on energy efficiency, information provision and duplex printing but nothing is reported on sections 4.2 (N-up printing), 4.3 (Design for recycling) and 4.4 (Cartridges). DE expected the II to report on fulfilment of all aspects covered by the VA.

EFIM stressed the lack of reporting in particular on section 4.4 on cartridges. More specifically, EFIM recalled the provisions in points 4.4.1 and 4.4.2 of the current VA, about avoidance of practices to prevent reuse and recycling of cartridges, and design of products not preventing use of non-OEM cartridges. Cartridges produced by some signatories prevent reuse and recycling and are designed to prevent the use of non-EOM cartridges. Moreover, EFIM claimed that if compliance with section 4.4 was reported, then only about 20% of products (based on market share) would fulfill the commitment (evidence could be provided). Compliance control should cover the entire imaging market as nowadays toner and ink cartridges account for about 60% of total turnover.

ECOS expressed concern about on-going non-compliance, the lack of any audits in the past three years and the lack of details in the reporting. ECOS recommended that an audit is immediately done on the repeatedly non-compliant signatory and that sanctions should be taken. This issue should be corrected once the VA would adhere to what is foreseen under the new Commission guidelines.

TENVIC also emphasised the need for more detailed reporting on compliance with the requirements of the VAs.

VAPRINT stated that in the new draft VA there is improved wording about cartridges. Nevertheless, VAPRINT members consider that the scope of the VA should exclusively cover the printing hardware and not power supplies, cartridges or paper. As regards non-compliances, VAPRINT challenged EFIM to provide evidence of non compliant models, naming models and companies.

EFIM replied that cartridges should be covered by the VA as in terms of turnover and resource use, cartridges and ink are much more important than printers themselves. The scope of the existing VA clearly includes cartridges and, according to EFIM, the cartridge sector, whether OEM or non-OEM, should be allowed to become member of the VA.

SK recalled that the duty of the II should be to cover what national market surveillance authorities would cover. Whether products are covered by implementing measures or by self-regulations, they should be checked for compliance by market surveillance authorities.

BE recalled that for ecodesign implementing measures, not only energy efficiency but the entire environmental impact is covered, so cartridges should be covered by the VA. The criteria for checking compliance should be detailed in the VA, so that the II can perform correct and complete controls and tests.

NL stated that market surveillance authorities would always have the right to check products even if they are only covered by a VA, although not obliged and asked the Commission to clarify about this aspect and to clarify that the possibility it there. NL considered that the provisions in the new proposed draft on cartridges (point 5.4.3) could constitute a loophole as any signatory would find room to derogate from the obligations of reuse and recycling. At least, a requirement for clear information on reusability or recyclability of cartridges would have to be added to this paragraph.

ANEC/BEUC agreed with the point on cartridges made by NL. ANEC/BEUC recalled that the Impact Assessment of the Commission found that in terms of consumer expenditure, toner and ink represent 63% and paper represents 25%, and indicates that
"for non-energy resource efficiency it is important that measures address materials reduction, recycling and reuse". Therefore, ANEC/BEUC strongly believe that the imaging VA must include provisions for the reuse and recycling of cartridges.

INGEDE, representing the de-inking industry and the European paper recovery industry, recalled that during the lifetime of a printer tons of paper and hundreds of kilos of ink are used. The VA should therefore include provisions to address the recycling and de-inking of paper.

EFIM stated that testing compliance with the provision on cartridges in the VA is straightforward and should be undertaken.

VAPRINT reiterated that the scope of the VA should exclusively cover the printing hardware and not power supplies, cartridges or paper (also since recyclability and/or reusability rules are provided by other legislation). Nevertheless, the current draft of the VA already includes several non-energy related improvements. VAPRINT also considers that the discussion should not focus on business models or competition rules.

ECOS insisted that, irrespective of existing business models, cartridges represent an environmental impact and should be considered in the VA.

VAPRINT subsequently presented version 5 of the draft VA which was already presented during the VA Steering Committee meeting in January. The current version 4.0 has been in force since 2011 and is still valid. The VA represents 16 leading companies, representing 95% of EU market. The VA has cost around 200,000 euro/year and has contributed to increased savings by exceeding the benchmark set by Energy Star v.1.1. Version 5 introduces new commitments and targets, including:

- Primary design requirements based on a tiered approach with Energy Star v.2.0\(^3\) targets for TEC and OEM products;
- Other non-energy efficiency requirements with modifications for cartridges, also incorporating ETIRA (toner and inkjet remanufacturer association) requests, and a new clause on recycled plastic content information;
- Information requirements for end users with more prescriptive requirements than in version 4, referring to ECMA 370 and with a clause on availability of spare parts.

Moreover, version 5 incorporates the requirements of the previous version of the guidelines, with new/revised clauses on the Independent Inspector, reporting, transparency, inspections and penalties for non-compliance.

In the ensuing discussion the following key points were raised:

TENVIC asked how the savings had been calculated in respect to a BaU scenario.

The II replied on behalf of VAPRINT indicating that the calculated savings are based on the average energy consumption savings per unit for different products, including Laser and Inkjet. This was not compared to a BaU scenario. Moreover, estimates were based on average use scenarios for each product group covered by the VA.

NL requested savings to be reported in TWh as this would permit a better evaluation and comparison with other implementing measures. As regards annex C, it would be useful to have an anonymised table with the number of units sold to better understand the impact of this agreement (as was done for the CSTB VA). Moreover, NL considered that all

\(^3\) Because of the non-grandfathering rule in Energy Star, references to previous versions of Energy Star are not usable anymore.
products, whether compliant or not, should be listed in the report of the II, to obtain a picture of where the market is going.

**BE** considered that all products placed on the market claim to be compliant, so a check is needed to see if a product is really compliant, using lab testing when appropriate.

**DE** appreciated the achievements and ambition of the VA but requested further improvements as regards the alignment with the guidelines (e.g. on market coverage), the availability of spare and replacement parts (e.g. ink sponge) and the text on cartridges (avoiding a loophole). Finally, monitoring and reporting should cover all requirements and commitments and not only energy efficiency.

**SK** mentioned the possibility for consumers to participate in market surveillance for products covered by mandatory measures by signalling to market surveillance authorities if a product is not compliant. Could this also be a possibility for the VA?

**VAPRINT** considered that signatories would be happy to provide information on non-compliant products and other parts of the VA, and that in certain areas the text can be improved. As regards market surveillance, VAPRINT considered that when a product is placed on the EU market it is compliant with Energy Star (this is also necessary for the USA market) and that in terms of compliance verification there is no distinction between a Regulation and the VA. As regards energy savings, VAPRINT will look again at the figures presented to see if they can be improved.

**OEKO** Institut appreciated the improvements made, although further issues should be addressed including random product tests and availability of test reports, immediate introduction of default delay time requirements, criteria on ink use standards or company methods, and consumer information (messages appearing on the computer about the ink running out should suggest to replace the cartridge only if the quality starts to degrade). Finally, the use of recycled paper that fulfils relevant standards should be guaranteed by design.

**ECOS** requested more details on the background data and expressed concern about the low energy efficiency requirements that signatories are going to commit. Moreover, it asked the Commission how it would treat this draft proposal as it is not (yet) in line with guidelines.

**EFIM** insisted that cartridges should be part of the ecodesign directive and of the imaging VA and that no abuse of any kind should be permitted. EFIM considers that the current draft is a step backwards, as section 5.4.3 practically exempts signatories from any obligation to guarantee reuse and remanufacturing of cartridges. EFIM also believes that the II should be given information from third parties, such as market sources and remanufacturers. In EFIMs view the new proposed agreement violates competition rules since refilling, reuse and recycling is not assured.

**TENVIC** recognises an additional effort but when looking at the details and criteria, many declarations are not substantiated with specific requirements, such as on spare parts or that recycled content.

**VAPRINT** declared availability to provide the requested background data. Strengthening the different requirements can also be explored e.g. as regards testing, reporting, ink and paper, although there are limits to what the VA can accommodate. On cartridges, VAPRINT considers that the cartridges they place on the market are reusable, depending on how reusable is defined as there are different standards in place. A case about competition was treated in Court not long time ago. As regards compliance with the VA, anybody is free to come forward with substantiated suspicions of non-compliance. On spare parts, VAPRINT clarified that different manufacturers have different ways of
dealing with the after-sales market and consumers’ requests, and that all signatories have processes for this.

ANEC/BEUC appreciated the inclusion of commitments going beyond energy, but imaging equipment, as well any other product covered by a VA, must mitigate the broader environmental footprint. Therefore, the VA should be open to the inclusion of paper and cartridges as they are a big concern for consumers and the environment.

EEB welcomed the improvements in the draft VA. However, compliance with Energy Star v. 2.0 over the coming two years can be considered almost BaU. As regards spare parts, the VA could be strengthened e.g. by including requirements on their localisation to facilitate the extraction of those parts (useful for repair centres). Furthermore, the EEB questioned the reporting savings potential (25 TWh) and how this is broken down (e.g. electricity, paper, cartridges, etc.). Such information would be important to assess whether other resources should be addressed in the VA.

INGEDE insisted that the VA should include commitments on the recycling processes of paper. Currently, the relevant commitments are about saving non-printed paper, but no commitments address the energy use for the recycling process.

BE, referring to the comments from BEUC, also considered that the VA should be more inclusive and requested swift alignment of this draft with the proposed guidelines.

The II considered that the guidelines had to clearly state the way the II should discharge its mandate and how the II should verify compliance and background information, and asked for written contributions in this respect.

VAPRINT showed openness to discuss paper use, recyclability and de-inking issues, as well as adaptation to the guidelines. VAPRINT agreed that paper and cartridges are part of the imaging ecosystem but, in their view, should not be in the scope of the VA, as proposed in the new draft VA.

The Chair concluded that the savings reported in the Commission's impact assessment would be verified. As regards the different comments received and alignment with the guidelines, the industry should reflect on how these could be addressed in the draft VA. The Commission will then have to assess the VA in view of the requirements of the Directive and the guidelines.

5. **Complex Set Top Boxes**

The CSTB-VA presented the situation of the VA, which started in 2010 and today reports on around 66 million set top boxes on the market\(^4\). One of the main gains of the VA is the introduction of the Auto Power Down (APD) feature, the implementation of which went from 48 to 69% last year. As APD is not only implemented in new boxes but also retrofitted in installed ones, today 85% of STBs is APD-capable. The current reporting period is ending and the report will include Tier 2 (under which APD is compulsory). Two new members joined the VA, one re-joined and some signatories merged, leaving the market coverage almost unchanged.

In its new draft VA, CSTB-VA included Tier 3, entering in force from 1 July 2016, new functionalities, and proposals on resource efficiency, labelling plastics components, extension of lifecycle and enhancing reuse and recycle.

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\(^4\) For more information please see the VA website: [http://cstb.eu/](http://cstb.eu/)
Finally, CSTB-VA had been asked to collaborate with JRC Code of Conduct (CoC) with the result that latest version of the CoC has been integrated into the draft VA. An issue derives from the requirement of being a signatory of the VA in order to sign the CoC, as there is a Belgian company interested in the CoC that is not VA signatory.

During the ensuing discussion the following key points were raised:

**ECOS** had received the new draft proposal and asked about when it will be discussed at CF level.

The **Chair** explained that once the text will be sent formally to the EC, it will be circulated and discussed in a future CF.

**ECOS** commended the creation of close-loop recycling with set-top boxes delivered and taken back by service providers. Nevertheless, more accurate data would be needed to augment the resource efficiency commitments (e.g. refurbishment targets) in the VA. As regards allowances for new functionalities, as the real energy consumption is not known, tests should be undertaken with these features disabled. ECOS also questioned the ambition level of tier 2 as too low.

**DE** declared support for the refurbishment initiative, including its monitoring/reporting.

**EEB** appreciated the integrated resource use requirement and supported the take-back of boxes as they are perfect candidates for refurbishment. Moreover, EEB asked clarifications on the relation between the CoC and the VA.

**OEKO Institut** asked about new products such as media gateways not included in the scope of the VA. It also expressed disappointment as regards the long list of allowances in the VA.

**CSTB-VA** confirmed that the VA aims to have auditable information as regards the refurbishing target. With respect to new features with unknown energy consumption, CSTB would be happy of leave the allowances 'empty', until further data is available. The aim of the CoC is to address the best 25% of products. Once a product is certified under the CoC, it automatically complies with the VA. On media gateways, the CoC is starting to address the issue. The scope of the VA only includes boxes with "conditional access" as the rest of the market is too complex and differentiated.

6. **GAME CONSOLES**

A representative from DG ENTR gave a presentation on the VA for game consoles. As regards the process, the CF was held on 9/11/2012 followed by approval of the Impact Assessment in April 2013. Further dialogue with the industry took place resulting in a final draft in April 2014. This delay was mainly due to internal staff turnover and further modifications.

Three manufacturers, covering almost 100% of the market, would sign the VA. The savings potential by 2020 is estimated at around 1 TWh/y. A review is foreseen by 2017. The industry did not foresee difficulties with respect to adapting the VA to the draft guidelines as discussed earlier.

Requirements and tiers are foreseen in respect to HD and U-HD consoles for navigation and media playback modes, with APD of 1 hour for all functions except media playback (4 hours).

As regards the next steps, the EC would proceed with the ISC on the report to the Council and the European Parliament recognising the voluntary agreement on game consoles. The industry would then sign the Agreement as recognised.

During the ensuing discussion the following key points were raised:

**UK** highlighted several inconsistencies between the current draft VA and the draft guidelines and asked assurance that this will be addressed. The EC confirmed that industry would adapt the VA within one year. The **UK** furthermore cautioned the EC in supporting this VA.

**NL** highlighted the limited savings from this VA and that, with only 3 companies on the market, it is difficult to establish the baseline scenarios or prove future evolution. NL declared limited interest in the VA and urged the EC to carefully evaluate the cost-effectiveness (in terms of resources dedicated to the management of the VA) because of the limited savings potential. NL further suggested to consider whether this product group could be integrated in another product group.

**DK** supported the position of NL and recommended not to endorse the VA because of the disappointingly low ambition level after lengthy discussions.

**BE** also underlined the lack of progress and questioned whether the VA should be endorsed. In addition, the network stand-by regulation should in any case contribute to about one third of energy savings, so unless the VA would include many more non-energy requirements and commitments such as take-back/upgrade initiatives, similar to the CSTB VA, BE would not recommend endorsing the VA.

**SE** agreed with previous MS positions. Although game consoles perform better than generic computers in gaming, the proposed efficiency levels are not ambitious enough. SE proposed to include Game Consoles in the next revision of the Computer regulation. Moreover, SE considered that reactivation functions, such as voice or movement triggered reactivation, should be covered by the Stand-by Regulation.

**SK** supported more stringent criteria, which should be feasible considering that key components (e.g. CPUs and graphic coprocessors) come from the computer industry.

**TENVIC** stated that the industry has shown efforts in improving the EE in the new generation of game consoles. However, new players are coming to the market with new products, which will be developed on a more computer-based architecture so this should be addressed. Moreover, the UHD playback should become the dominant media format in the next few years and should be covered in this VA.

**OEKO Institut** also deplored the low ambition of the VA but questioned whether alternatives are available. Much higher savings would be possible, looking at Energy Star limits that are about half of what is proposed in the VA (40 and 50W compared to 90W respectively). Moreover, active gaming mode is not covered by any requirements, nore is TV watching mode. Additional aspects that should be addressed are 1) consumers will probably disable APD because they fear their game may be lost, so an auto-save function should be foreseen for all games. Agreements with software developers are necessary to include this function in games; 2) most consumers do not know that a game console used for media playback uses between 40 and 50 times more energy than a normal DVD player, so consumer information must be improved.
**ECOS** supported the Oeko Institut comments, adding that the possibility for signatories not to disclose 'sensitive' information related to energy consumption of the game consoles should be removed from the VA. ECOS saw no reason why energy consumption should be sensitive, as it can be easily measured. Consumer information requirements should be strengthened.

**EEB** considered that if the industry cannot reveal certain information on future technology and related energy efficiency, then any commitment will be seen as BaU. As a result, the VA only 'confirms' what companies have already in their labs and does not constitute an ambitious future target. Moreover, on resource use the signatories should improve recovery and reusability, providing for upgrades and repairs. Other products that have gaming functions will come to the market and will have to be clearly categorised to avoid loopholes. **DE** also considered that the VA should not be endorsed and that alternatives, such as including game consoles into the computers regulation, should be considered.

**NINTENDO/SONY/MICROSOFT** presented the savings potential of the VA which is estimated to be 9.9 TWh over the lifetime of the next generation of consoles (15 years). Energy consumption in all modes has been reduced (while functionalities have increased) and APD has been included. These savings are achieved through the adoption of efficient technologies such as "system on-a-chip", integrating CPU and GPU onto a single chip, adaptation of mobile technologies from tablets and laptops, and more efficient power supplies. Signatories are also committed to improve the life-time of consoles. A consumer NGO, NRDC tested consoles in the USA and attested the improvements in terms of EE features. Each console has unique features, so standardisation of commitments is difficult but the industry has already adopted more stringent requirements in the development of future consoles. The industry would start reporting on commitments from this year and rapid updates of the VA are possible to cope with rapid changes of commercial scenarios.

The **Commission** (ENTR) considered that despite the reservations from MSs and other stakeholders the VA would still be the best way to 'harvest' the available savings even if they are not huge. Nevertheless, all comments would be taken into consideration when deciding to endorse this VA or not.

**EEB** restated the lack of ambition in the VA and encouraged to further address reuse and refurbishment. EEB also mentioned the misleading messages presented to the user at the first startup of the game console about the energy saving modalities, which should be changed.

**IT** considered that given the limited savings available, a VA is the only alternative and a regulation is not preferable.

**ORGALIME** asked the Commission about the intention on VAs as regards minimal savings potential, as other industry sectors may want to propose agreements.

The **Chair** responded by indicating that the ecodesign Directive provides the framework for VAs and indicates that priority should be given to VAs if results can be achieved in a more cost-efficient and quicker way. The EC will assess each VA on this basis. Based on today's discussion the VAs should see if further changes can be introduced. As regards the guidelines, stakeholders will have until 11 July for sending in further written
comments, after which the EC would launch the inter-service consultation and most likely adopt the guidelines in the second half of 2014.
### ANNEX – Attendance List

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