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Opinion

Title

Impact Assessment on: Proposal for a Commission Regulation implementing Directive 2005/32/EC with regard to ecodesign requirements for external power supplies

(draft version of 18 July 2008)

Lead DG

DG TREN

1) Impact Assessment Board Opinion

(A) Context

The Eco-design Directive 2005/32/EC provides the framework for developing implementing regulations on energy-using products. External power supplies (EPS) are one of the priority product groups considered for implementing measures under ecodesign. The directive sets out a range of conditions for the development of an implementing measure. These include i.a.: least costs over life-cycle, minimum number of products placed yearly on the market, impact on consumer prices and business competitiveness, impact on administrative burden, improvement of environmental performance over the life cycle of the product.

(B) Positive aspects

The impact assessment report provides an analysis of conformity with the recently introduced US standards and the impact these may have on the EU policy design, as well as on EPS manufacturers. In general, the stakeholder consultation (including other third countries) appears to be appropriate. The IA report demonstrates clearly that the criteria required by the Directive to put an implementing measure in place are satisfied (in terms of environmental impacts and number of units concerned). The logical steps, as recommended by the IAB for previous IAs for implementing measures under the Eco-design directive, have been followed.

(C) Main recommendations for improvements

The recommendations below are listed in order of descending importance. They are expected to be incorporated in the final version of the impact assessment report.

General recommendation: While the IA makes a case for a need for an implementing measure on EPS, it should clarify a number of important issues. The administrative costs need to be thoroughly assessed, not least to satisfy requirements of the Eco-design directive.

The assessment of environmental impacts should be widened and the relation to other implementing measures clarified. The analysis of social impacts should be underpinned by further data on industry structure, particularly with respect to SMEs in Europe. Finally, the enforcement regime deserves further discussion.

(1) The administrative costs must be assessed using the EU standard costs model. Given that the administrative costs of assessing conformity are estimated at several thousand euro (p. 24) per product, and given the sharp increase in total number of products (as assessed under the baseline scenario p. 11 onwards) the administrative costs for the economy could be substantial, and the use of the EU SCM is justified. An assessment of administrative costs is also required under article 15(5) of the eco-design directive. Additionally, the authorisation capacity should be assessed, including the impact it may have on time needed to introduce redesigned products to the market. The IA would benefit from an estimate of total compliance costs for industry and an assessment of potential costs of offering primary load devices with and without EPS.

(2) Environmental impacts need to be presented with greater clarity. The IA limits assessment of the environmental impacts to CO2 emission reductions (which are directly related to the power consumption), while the Eco-design directive requires an analysis of all environmental impacts. In particular the impact on electric and electronic waste generation needs to be discussed. Even if these other environmental impacts are considered to be negligible, the IA should clearly explain why this is the case.

(3) Relation to the implementing measure on standby/off-mode losses requires further clarification. Whereas the IA correctly avoids double-counting when estimating the improvement potential (in the baseline scenario), the functioning of parallel implementing measures should be explained from a manufacturer's perspective. This explanation should also include a brief analysis of whether there is any correlation/trade-off between energy efficiency during the loading process and in the stand-by/off mode. In addition, an apparent inconsistency for option 5 (pp. 19-20) should be resolved as it seems that stage 1 active energy efficiency requirements for EPS > 50 Watts (0.85W) are more stringent than stage 2 requirements (0.87W).

(4) Strengthen the analysis of social impacts. The report should provide more detailed information about the European producers affected, particularly with respect to SMEs, and assess the likelihood of job losses more thoroughly.

(5) Enforcement of the proposed measure deserves more discussion. Given the high number and variety of products concerned, the IA should include an assessment of the enforcement regimes currently applied in the MS (concerning similar product requirements), and indicate whether these are sufficient.

(D) Procedure and presentation

It seems that all procedural requirements have been complied with.

2) IAB scrutiny process

Reference number	(commitology item)
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External expertise used	No
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