Part III: Agreed Q&As

Q1: Does the Radio Equipment Directive (or more specifically, Directive (EU) 2022/2380 of 23 Nov 2022 amending the RE-D) define the Common Charger?

A: Yes, but not completely. RE-D regulates only the wired charging capabilities of the radio equipment. There may be additional requirements under other Directives e.g. the Ecodesign Directive, and particularly Regulation 2019/1782 “Ecodesign Requirements for the External Power Supplies” aimed to be published in by End 2023 which will define a number of requirements for the charger including the connectors and charging protocols to be implemented in the charging block and cable.

Q2: The regulation scope is currently wired charging only. Is radio equipment supporting only wireless charging allowed?

A: Yes, though there is a plan to regulate wireless charging in a few years.

Q3: Is the product category defined by the primary function, the primary use case, or the primary usage environment of the radio equipment?

A: From regulatory point of view, the intended use of the radio equipment defines the product category. For example, head-mounted display is a novel product category, the primary function or use case of which is to view images so it does not belong to any categories listed in RE-D Annex 1a, including "k) portable navigation system", "d) headphones", and "e) headset". Although, for instance, a navigation system could be installed as an additional or optional feature of a head-mounted display product, but it would then still not be the primary function of the radio equipment and thus, a head-mounted display (including the optional portable navigation feature) would not be in the scope of the regulation.

Q5: Are DECT cordless phones in scope?

A: No, since they are not among the 13 product categories listed in the Annex 1a Part I of Directive 2380/2022.

Q6: According to the legislation, the radio equipment should incorporate USB Power Delivery (USB PD) if the charging voltage is higher than 5 volts, or charging current is higher than 3 amperes, or the charging power is higher than 15 watts. However, in practice, during the technical charging process the charging voltage, current and/or power may fluctuate. If the charging voltage, current or power reach slightly higher levels than these thresholds in short time periods, shall the radio equipment incorporate USB PD?

A: No. If the rated voltage is not higher than 5 volts, and the rated current is not higher than 3 amperes, and the rated power is not higher than 15 watts, the radio equipment does not need to incorporate USB PD, and instead the charging techniques specified within the USB-C standard apply.

Q&As 4 and 7 are moved to Part III Annex since they are outdated as result of EC Delegated Act published on 11 Sep 2023 which updated the USB standards references in Directive 2022/2380 Annex 1a from 100W to 240W.
Q8: Is a radio equipment listed in Annex Ia Part I of Directive 2380/2022 (e.g. portable speaker) out of the scope of the regulation when it is an integral part of a system (e.g. a home theatre system including multiple portable speakers) which is not listed in the regulation scope and which consists of e.g. multiple radio transmitters/receivers?

A: In case the individual radio equipment of the system are solely intended to operate together and cannot function on their own, the system shall be considered as a type of radio equipment on its own and it does not fall in the scope of the regulation. Thus, Directive 2380/2022 requirements do not apply and the chargers (or external power supplies) of all parts of the system can still be bundled with the system.

Standards references and Declaration of Conformance (DoC)

Q9: How will the Commission ensure that references to EN IEC 62680 series standards in RE-D Annex 1a are updated when future editions of these standards are published? Will a transition time be provided?

A: Via Delegated Acts, prepared well in advance in consultation with the stakeholders. The first Delegated Act is planned to be adopted by the Commission in Q3/2023. Radio equipment – change to the technical specifications for wired charging (europa.eu) Transition time will be provided as appropriate.

Q10: Will products implementing future editions of EN IEC 62680 standards be allowed in EU markets prior to Delegated Act updates?

A: Yes, if the new versions of standards are backwards compatible with the standards referenced by the legislation.

Q11: Is it required to reference the standard versions specified in RE-D Annex 1a on the manufacturer’s DoC?

A: No. The standards referenced in RE-D Annex 1a are not harmonized standards/technical specifications for conformity assessment. Thus, it is not necessary to reference these standards in the manufacturer’s declaration of conformity. Manufacturers of the equipment in scope of the delegated act must maintain evidence of compliance in the technical documentation for the product.

Q12: In the absence of harmonised standard(s) published in OJEU, must the manufacturer use a Notified Body to obtain compliance with the RE-D Common Charger Amendments?

A: No. Please refer to RE-D Art. 3(4) and Art. 17(2).

Additional charging protocols

= Q&A 13 is moved to Part I

= Q&A 14 is moved to Part III Annex since it outdated as result of EC Delegated Act published on 11 Sep 2023 which updated the USB standards references in Directive 2022/2380 Annex 1a from 100W to 240W =
Unbundling

Q17: Can a radio equipment be sold with the charger (in-box)?
A: Yes, as long as the consumer has the choice of buying the radio equipment also without an in-box charger. However, the features (e.g. specific colour) of the radio equipment offered without a charger could vary depending on stock levels at the point of sale.

Q17a: Does the charger offered to the consumer separately from the radio equipment have to be the same as the chargers sold in-box?
A: No. As long as a compatible charger is offered, it does not need to be the same colour, model or type as the ones sold in-box with the radio equipment.

Q19: Do the requirements of Article 3a of Directive 2380/2022 extend to the charging cable?
A: No. In case the charger has a detachable charging cable, it may be in the interest of the end user that the manufacturer supplies an appropriately rated charging cable with the radio equipment. This is a decision for the manufacturer who must take account of the safety objectives of the Low Voltage Directive (2014/35/EU).

Charging capabilities label

Introduction to Q20, Q21 and Q22

In order to ensure consumer convenience and to effectively inform the consumer, the pictogram and label should not create confusion or mislead the consumer. The design and content of the pictogram and label should be suitable for each product category in scope and their compatible charging solutions. The appropriateness of introducing graphic elements should be considered for each product category together with the associated characteristics and use cases to ensure the consumer receives understandable and appropriate information accordingly. The following scenarios could create confusion, for example:

- When a USB-C common charger is not provided with the product but another charging solution is (e.g. one with barrel connector), the unbundling pictogram may lead the user to think that there is no charger whatsoever provided with the product.
- When the product supports additional charging protocol or connector (other than USB PD or USB-C), the power requirements depicted on the label may lead the user to think that the power range is the same when charging using the additional charging protocol or connector supported by the product.
- The pictogram and label resemble each other and their individual purpose may be misinterpreted by the user when provided together on the product packaging.
The design of chargers provided with laptops is different to the design of the pictogram which resembles a smartphone charger which could mislead the user on charger compatibility.

Q20: How shall the manufacturer denote the charging capabilities (min-max charging power, charging protocol) of the radio equipment if the radio equipment implements an additional charging protocol over the USB-C connector? Can the additional charging protocol and its power range be included in the EC charging capabilities label?

A: Manufacturer can use the own logo, brand (when available) and relevant descriptions of the charging solution as before, separate from the EU regulatory label. The EU regulatory label is not intended for depicting the manufacturer’s own charging solution.

Q21: Are laptops exempt from the obligation to indicate on the packaging the pictogram and label referred to in Part III and Part IV of Annex Ia of Directive 2380/2022?

A: No. Under the current legislation, a QR code or similar electronic solutions can only be used in addition to the label.

Q22: What measures will be taken by the Commission to address confusion and misinterpretation amongst consumers of the charging solutions provided with the radio equipment versus the charging capabilities of the radio equipment?

A: The Commission intends to address issues arising from the labelling requirements by modifying the pictogram and label referred to in Part III and Part IV of Annex Ia through delegated acts, if appropriate.

New Q&As agreed with the Commission on 6 July 2023

Q23: Is radio equipment (e.g. portable speaker) with an integrated charging function i.e. an integrated AC/DC converter used as the power supply and charger (and therefore wired charging of the battery is achieved via an external AC cord only) also covered under Directive 2022/2380 (and therefore requires an USB-C port)?

A: No. The term “means of wired charging” only covers radio equipment with an external AC/DC converter used for charging the battery in the radio equipment. Therefore, radio equipment with an integrated AC/DC converter where wired charging of the battery is achieved via a simple external AC cord only does not fall under the scope of Directive 2022/2380 since the scope of the Directive is a portable separate charger, not an integrated charger.

Rationale: An integrated AC/DC converter has a dual function of powering the device while attached to AC mains as well as wired charging of the battery, achieved via an external AC cord only. With the battery charging circuit being part of the internal power supply electronics, there is no need to connect a separate charging device. Introducing a dedicated USB-C type charging port to such a radio equipment would go beyond exchanging an existing port to USB-C but would require substantial technical changes in the charging functions of the radio equipment.

Q24: Do the unbundling requirements of Article 3a extend to the mains supply cord potentially used by a charger?
A. No. In the case where the charger uses a detachable mains supply cord, it may be in the interest of the end user that the manufacturer supplies an appropriately rated power cord with the radio equipment. This is a decision for the manufacturer who must take account of the Safety Objectives of 2014/35/EU.
Part III Annex: Deleted Q&As

Q4: The regulation addresses battery-powered radio equipment. In order for the radio equipment to be in the scope of the regulation, shall the battery be the primary energy source of the radio equipment? Is a radio equipment in scope, the battery of which is designed to be just a temporary (low-capacity) backup for some short times when mains (or car battery) power is not available?

A: The battery shall be the primary energy source for the radio equipment, not just a temporary backup, and mains-only powered radio equipment is out of scope. Examples include: 1) portable speaker designed to be constantly connected to mains power but which has also a small backup battery for short-time use without mains power, and 2) portable navigation device designed to be used in a car, typically safely attached to the windscreen and constantly connected to car battery i.e. not operating with its small built-in battery.

Q7: Are laptops and other high-powered devices requiring more than 100W charging power exempt from Directive 2022/2380 requirements?

A: Yes. The USB specifications referenced under Directive 2022/2380 cover only radio equipment using up to 100W charging power. However, the Commission intends to update the standards references to the new standard versions covering up to 240W charging by Delegated Acts during 2023. Relevant transition periods will be given as appropriate, and in alignment with the revision of the Commission Regulation (EU) 2019/1782 laying down the ecodesign requirements for external power supplies.

Notably, USB-C and USB PD standards (including the later EN IEC 62680-1-2:2022) are developed to be backwards compatible, but the Commission aims to update the USB standards references in RE-D Annex 1a in order to cater for the continued progress of standards, technology, and consumer needs.

Q14: Is the radio equipment allowed to charge its battery at >100W when using the additional charging protocol?

A: Yes. There is an upper power limit (100W) in the USB PD standard (EN IEC 62680-1-2:2021) and USB-C standard (EN IEC 62680-1-3:2021) referenced by Annex Ia, but if there is no such upper power limit in the other charging protocol, then higher power may be used.