



DG GROW

Briefing for **Gwenole Cozigou**

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BRIEFING NOTE

- Common charger – Article 3(3)(a)

1. Common Charger – Article 3(3)(a)

KEY messages (Common Charger)

- In June 2009, a Memorandum of Understanding (MoU) was signed in which mobile phone manufacturers agreed to harmonise chargers for mobile phones coming onto the market as of 2011. The ‘common charger’ solution was a success, as it removed a situation where more than 30 different types of charger for mobile phones were on the market. Other than enhancing consumers’ convenience, It was estimated that harmonisation of chargers for mobile phones was going to reduce charger waste by between 51,000 and 82,000 tonnes each year (GSMA, 2009), therefore resulting in major convenience for both EU consumers and the environment.
- Since expiration of the initial MoU, the Commission fostered the renewal of a new voluntary approach from the industry. However, the new MoU of 2018 was not satisfactory, as it did not guarantee the implementation of a common solution (which continued to allow for proprietary solutions instead) nor it addressed new technological challenges (fast/wireless charging). In addition, its scope continued to be limited to mobile phones only.
- The Commission therefore decided to take action, as the lack of intervention from the EU side could result in a pre-2011 situation, where different types of chargers would proliferate, resulting in inconvenience for consumers needing several types of chargers and potentially causing increase of e-waste.

Line to take (Common Charger)

1. The 2009 voluntary agreement among major handset manufacturers for a common charger solution for mobile phones sold in the EU (Memorandum of Understanding), was proven to be effective in reducing market fragmentation and enhancing consumer's convenience.
2. Building on this successful strategy, the Commission encouraged the mobile phone industry to reach a new voluntary agreement. Regretfully, the Memorandum of Understanding proposed in March 2018 did not meet our expectations.
3. Therefore, the Commission initiated an impact assessment study for a possible legal proposal aiming at implementing a common solution for charging mobile phones and possibly other small and medium portable devices. The study will assess impacts on consumers, on the industry and on the environment. It will be delivered by the end of this year.

Defensives / Q&A (Common Charger)

Question: Why the Commission took time since expiration of the MoU?

The Commission's preferred approach was to encourage a voluntary solution by the manufacturers. The idea was to let the industry to propose the best possible technical solutions while not hampering innovation. That collaborative spirit was the basis of the original MoU, which proved to be successful for both consumers and the industry, while guaranteeing reduction of e-waste. The Commission spent many efforts in that direction, by continuing liaising with the mobile phone industry to push them to agree on a new voluntary agreement.

Question: How does the Commission intend to tackle the technical evolution?

We are fully convinced of the need to come up with a future-proof solution, which would allow technological innovation in the sector. For this reason, the technical analysis we are carrying out will take into account new developments such as fast charging and wireless charging. The analysis will in particular focus on the identification of factors that could limit interoperability of devices using new charging solutions (which were not addressed by the proposed MoU at all) and/or prevent further innovation.

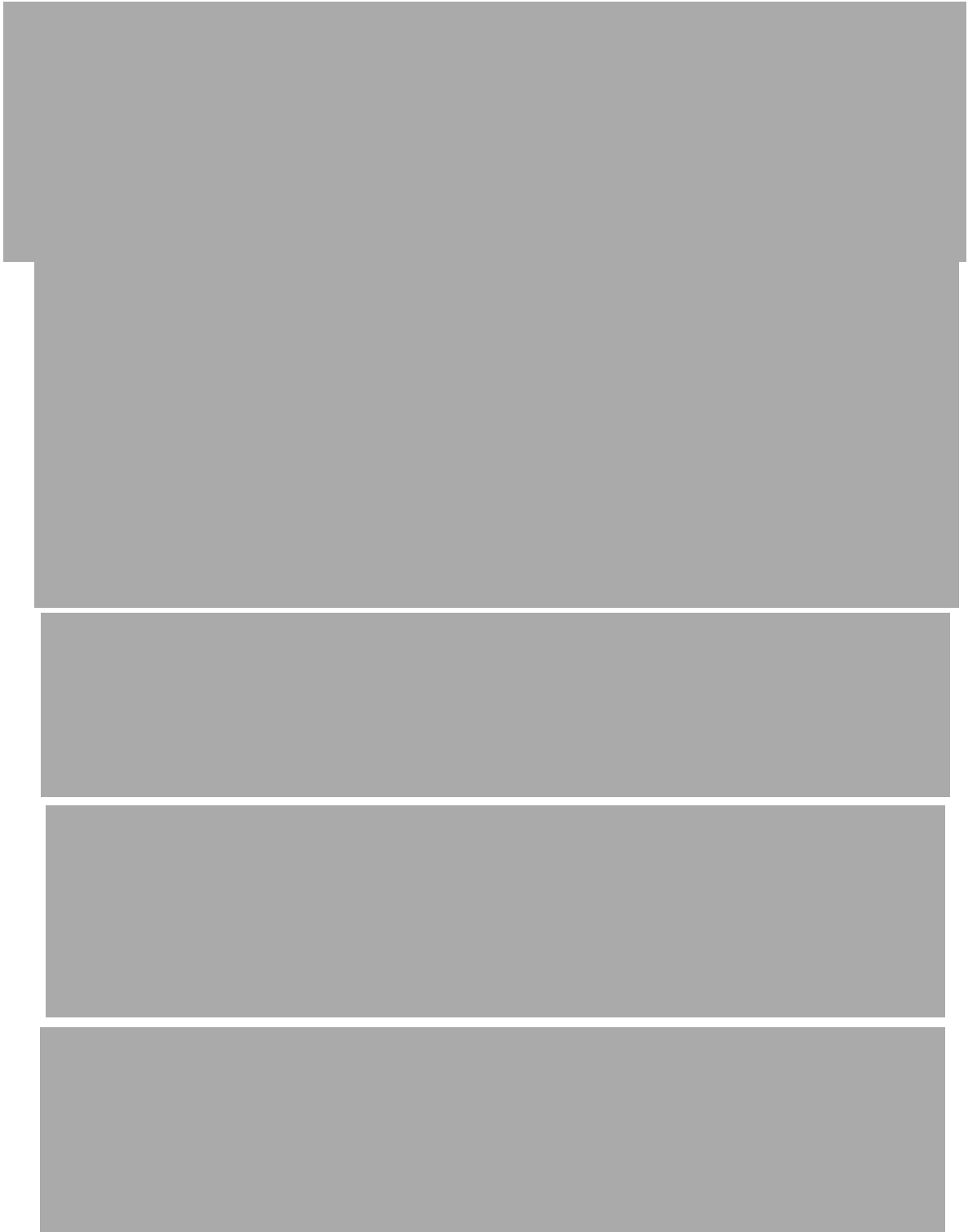
Question: How are sustainability aspects taken into account?

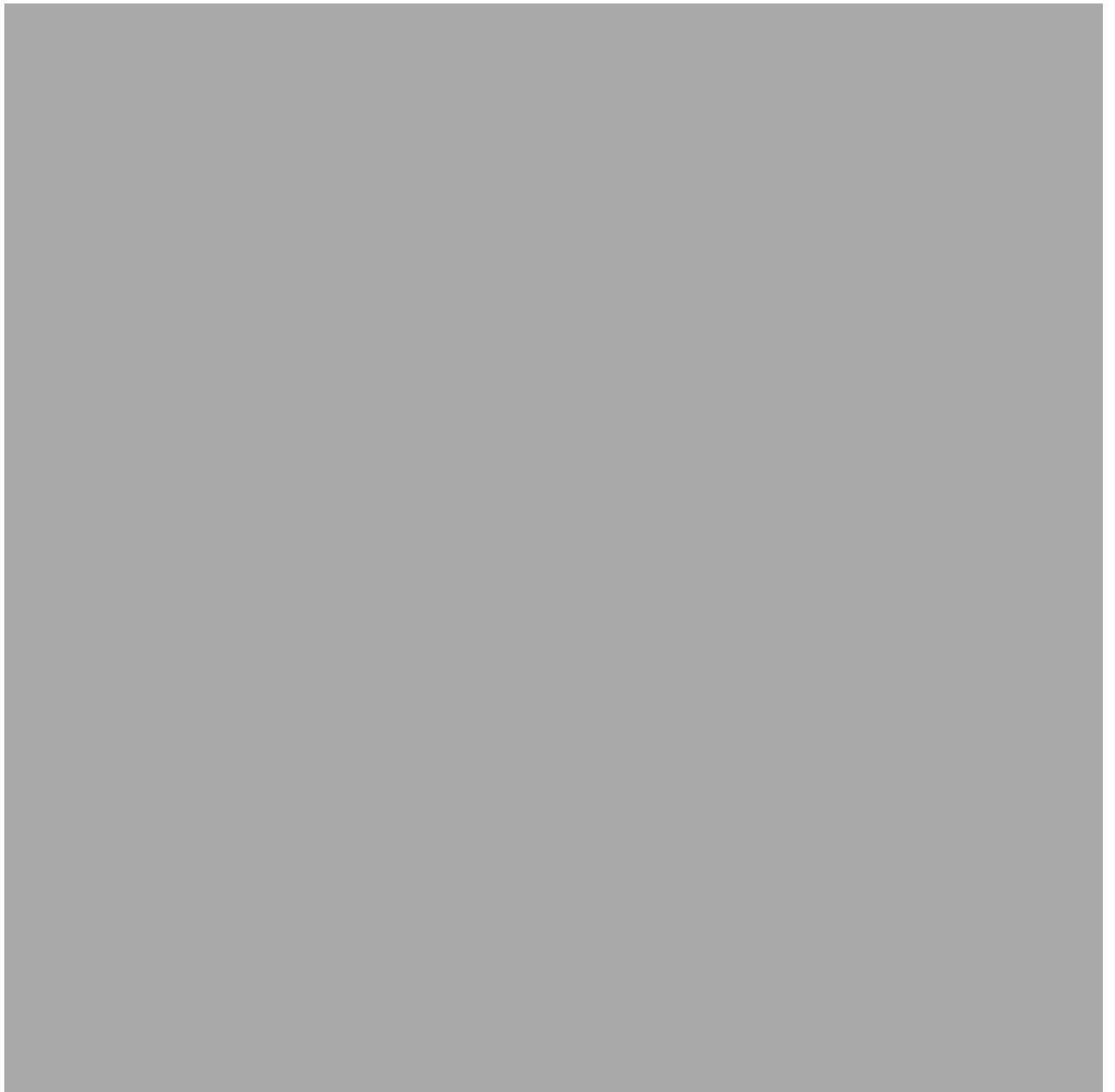
Reducing e-waste is one of the objectives of the initiative, by fostering a common charger solution for mobile phones and, possibly, other small electronic devices. This initiative is performed in close collaboration with other services of the Commission and aiming at enhancing energy and resource efficiency aspects, the recycling of electrical devices and other

actions intended to protect and empower Europe's citizens and consumers.

Question: How will the Commission deal with aspects that cannot be covered by RED, such as the decoupling of the sales of chargers and equipment?

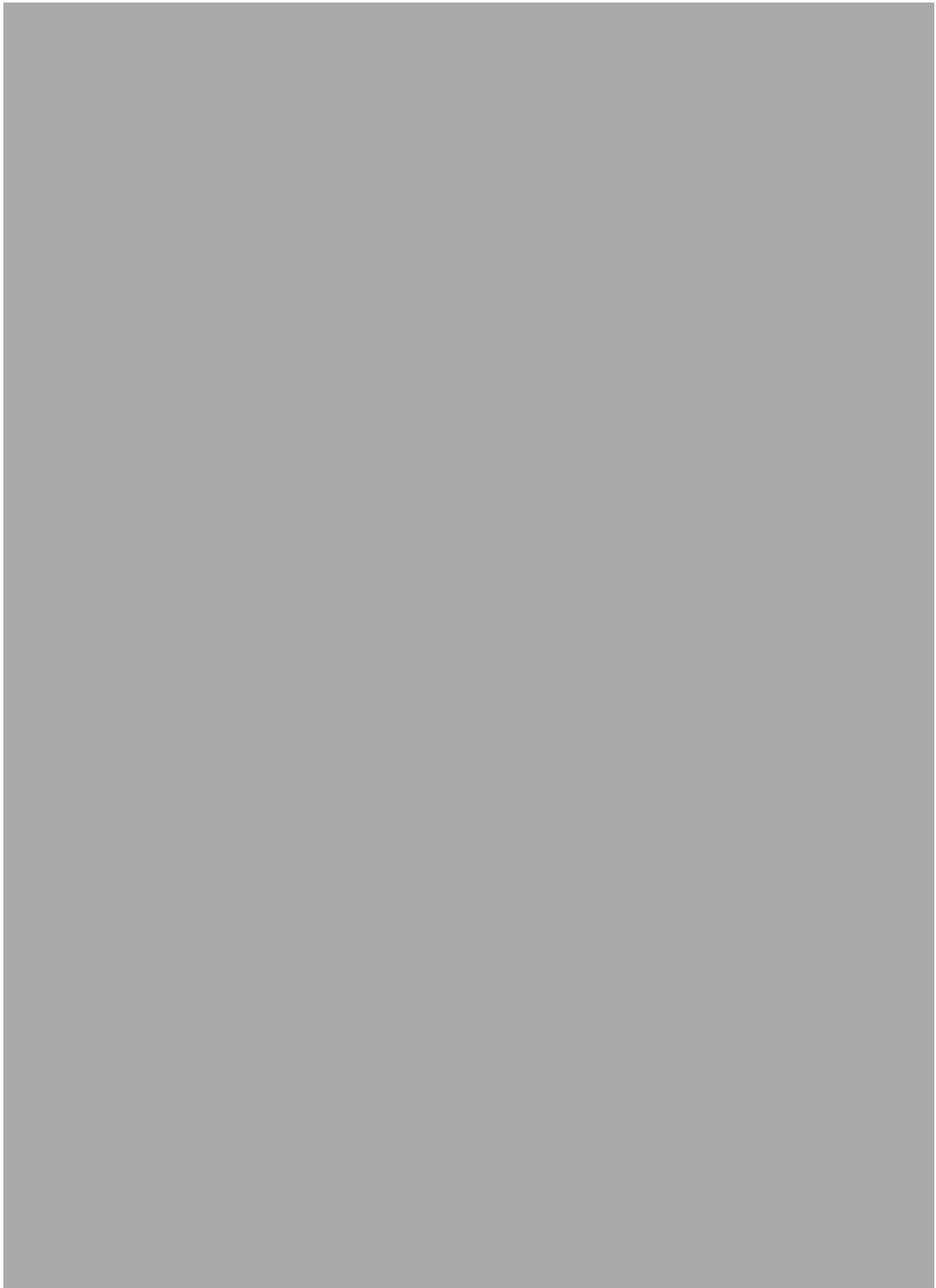
The Commission service, if needed, may also consider complementary ordinary legislation, as some possible objectives cannot be achieved through the RED.











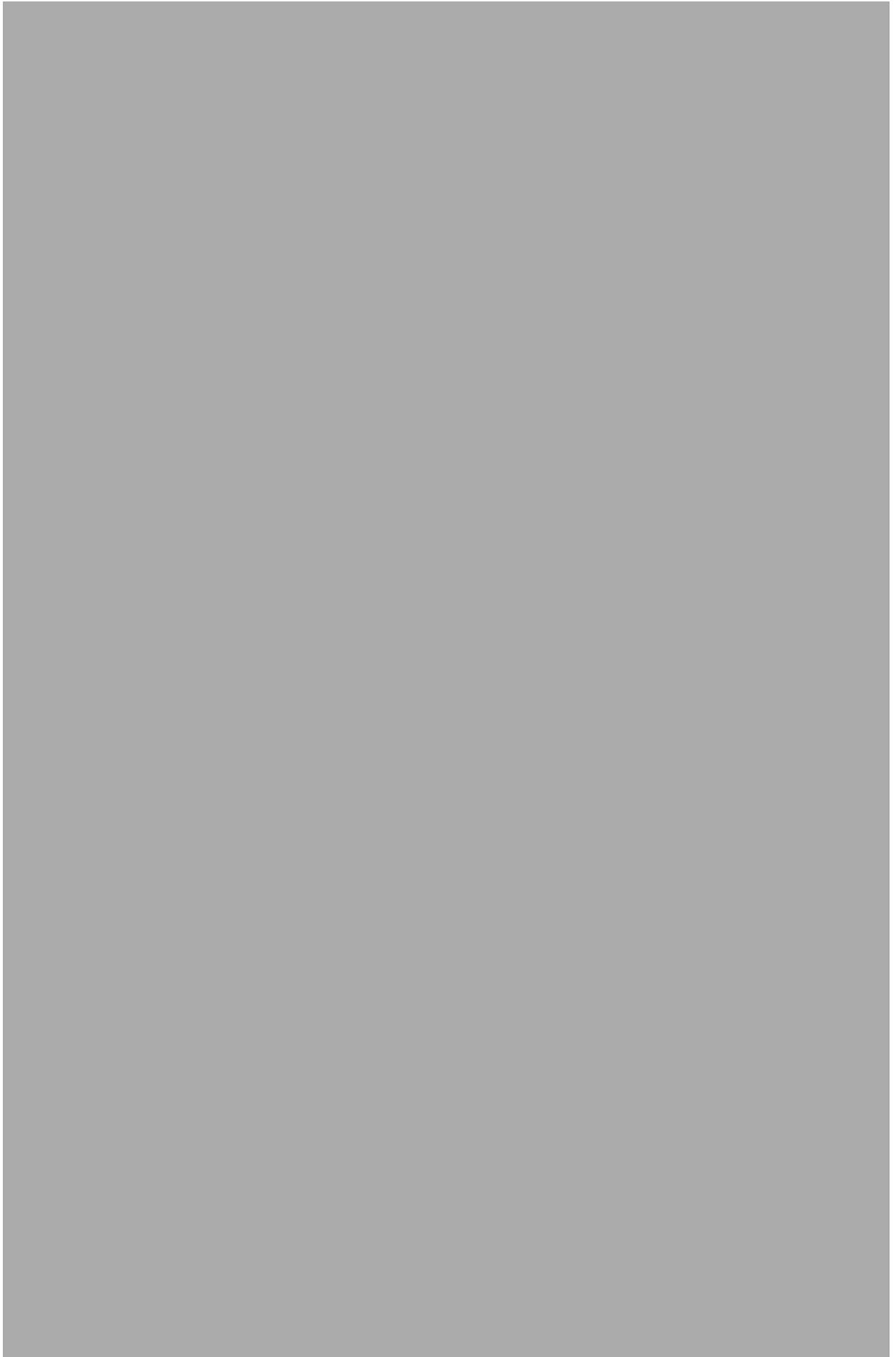
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Background information

Article 3 (3) (a): Common charger

Regarding the common charger, the RED empowers the Commission, under Article 3(3) (a), to define the categories or classes that shall be constructed so that they interwork with accessories, in particular with common chargers. The RED, in recital (12), refers to renewed effort to develop a common charger for particular categories or classes of radio equipment.

In 2009, manufacturers of mobile telephones agreed on a voluntary agreement (Memorandum of Understanding) in relation to mobile phones coming onto the market as of 2011. The signatories agreed to develop a common specification based on the USB 2.0 Micro B (Micro-USB) interface, which would allow full charging compatibility with mobile phones to be placed on the market. For those phones that did not have a Micro-USB interface an adaptor was allowed under the terms of the Memorandum of Understanding.

The Memorandum of Understanding aimed at guarantying interoperability between chargers and new mobile phones on the market, therefore reducing the need to buy or continuously exchange chargers and cables and a consequent reduction of e-Waste in line with the Circular economy and Energy Union strategies. At the same time, interoperability was considered key for the development of a competitive Digital Single Market, at the benefit of both industry and consumers. The Memorandum of Understanding was aiming also at ensuring that citizens could benefit from reliable, energy-efficient and safe chargers, whether they were provided by the smartphones' manufacturers or they were sold as standalone products.

Before the Memorandum of Understanding, there were 500 million mobile phones in use in the EU countries, but they were only compatible with specific mobile telephone chargers as more than 30 different types of charger were on the market. Other than inconvenience to the consumer, that situation was estimated to generate more than 51,000 tons of electronic waste per year in the EU.

A study, assessing the Impact of the Memorandum of Understanding on Harmonisation of Chargers for Mobile Telephones and Possible Future Options, was commissioned by the Commission. It was delivered in August 2014 and confirmed that the chosen method (a voluntary agreement facilitated by the Commission, together with the development of a technical standard) increased harmonisation of mobile phone charging in the EU and improved consumer convenience.

The study has, in particular, provided the following information and conclusions: even manufacturers of mobile phones which did not sign up to the Memorandum of Understanding appear to have also adopted Micro-USB charging solutions, leading to the indication that almost 100% of data enabled phones sold in Europe in 2013 were compliant with Micro-USB charging solution.; due to the Memorandum of Understanding, it is estimated to have resulted in six to 21 million fewer standalone chargers over the period 2011 to 2013; the increasing prevalence of Micro-USB charging has limited the need to purchase standalone chargers and consequently reduced the use of raw materials than might otherwise have been the case.

Since the previous experience of the Memorandum of Understanding had proven to be successful for the reasons mentioned above, the Commission wished to continue the approach already followed based on a voluntary agreement. Moreover, a voluntary solution could more readily accommodate new technology and innovation compared to a regulatory option. Additionally, a voluntary approach may have had the advantage of having a wider scope, compared to the regulatory option, for example, it may have covered both ends of the charging cable. Unfortunately, the proposals received by the industry for a new MoU of March 2018 did not allow to meet the policy objectives of the Commission in terms of (i) interoperability and uniformity of performance, (ii) reduction and prevention of fragmentation, (iii) eWaste reduction and (iv) timeliness of the transitional time.

. Given the unsatisfactory outcome of the progress in the voluntary option, the Commission initiated an action aiming to implement a common solution for charging mobile phones and possibly other small and medium portable electronic devices.

An Impact Assessment study intended to provide factual support to assess the costs and benefits of different options aiming at implementing the common charger solution is ongoing. The study will report on the impacts that a new initiative aiming to limit fragmentation of the charging solutions for mobile phones and similar devices would have on consumers, on the industry and on the environment and will provide assessments of different policy options.

The study will be finalised by Q4 2019.

