



COMMISSION EUROPÉENNE
SECRÉTARIAT GÉNÉRAL

Direction B - Prise de décision & Collégialité
SG.B.3 - Groupe des Relations Interinstitutionnelles (GRI)

Bruxelles, le 9 janvier 2020

SP(2020) 5

Réunion du GRI du 10 janvier 2020 Point 5.1.1.

NOTE À L'ATTENTION DES MEMBRES DU GRI

**Objet : Travaux du Parlement européen – Déclaration de la Commission –
« *Chargers* » – Chargeur universel pour les équipements radioélectriques
mobiles**

Dossier non législatif – fiche d'information

Mmes et MM. les Membres du GRI trouveront en annexe une fiche établie par la DG GROW sous l'autorité du cabinet de M. BRETON, en accord avec le cabinet de Mme VESTAGER.

Annexe : 1

**GRI MEETING OF
10 JANUARY 2020**

NOTE TO THE MEMBERS OF THE GRI

Subject: State of play - common charger for mobile phones and similar devices
Ref.: Commission statement on common charger for mobile radio equipment, EP plenary session of January 2020 (tbc)
Rapporteur(s): n.a.
Lead parliamentary committee(s): Committee on the Internal Market and Consumer Protection (IMCO)
Former GRI fiche(s): n.a.

PURPOSE OF THIS FICHE

The purpose of this fiche is to inform the GRI about latest development in the file and about the Commission position to be taken during the European Parliament (EP) plenary debate of 13 January under the agenda point on the “common charger”. This file is closely followed by the EP, and especially by the EPP [REDACTED], EPP/PL was behind the tabled oral question on the matter).

The Commission will expose some results extracted from an impact assessment study that has to be finalised and is not published yet. Publication is expected to happen by mid-January. The main conclusions of the study are in particular that:

- there is not an easy clear-cut “optimal” solution;
- regulating only the common charging interface would provide limited benefits, especially with respect to waste reduction;
- to achieve significant reduction in material use, e-waste, and GHG emissions, implementation of a common charging solution would have to be complemented by additional measures (such as decoupling);
- a combination of policy options, including regulatory and non-regulatory options, may be needed in order to achieve the desired policy objectives;
- the possibility to extend the scope of a possible legislative initiative beyond smartphones and thus enhance the consumers and environmental benefits require careful technical analysis, because of several constraints (e.g. power needs, etc).

The speaking points for the debate will be distributed in addition to this fiche.

1. BACKGROUND

In 2009 the Commission facilitated a voluntary agreement on the “common charger” for mobile phones. This agreement was operational in 2011 through a Memorandum of Understanding (MoU) and expired in 2014, when negotiations to renew it started.

Thanks to the voluntary agreement, market fragmentation was drastically reduced. While in 2009 there were more than 30 different types of charger for mobile phones on the market, in 2014 only 2 connector solutions were present on the market (USB Micro-B and Apple's proprietary solution). Other than enhancing consumers' convenience, the agreement resulted in reduction of e-waste.

In 2014 the new Radio Equipment Directive (RED) was adopted, which foresees an empowerment for the Commission to adopt delegated acts to ensure interoperability of electronic devices with 'common chargers'.

Since the expiration of the initial MoU, the Commission fostered the renewal of a new voluntary approach from the industry. However, the MoU proposed by industry on March 2018 was not satisfactory, as it did not guarantee the implementation of a common solution, and proprietary connectors were still allowed. Furthermore, it did not address new technological challenges such as fast and wireless charging, and its scope did not take into account other compatible devices but continued to be limited to mobile phones only.

After the unsatisfactory MoU of 2018, the Commission decided to launch an Impact Assessment Study to assess impacts of a possible regulatory initiative aiming to limit fragmentation of the charging solutions for mobile phones and similar devices. The study was carried out by Ipsos and Trinomics with support from Fraunhofer FOKUS, and is based on research and analysis undertaken between January and November 2019. It is expected to be finalised and made public by beginning of January 2020. It assesses impacts of different policy options on consumers, industry and the environment.

The study is an essential input into the upcoming impact assessment that is prepared by the Commission services and that will be scrutinised by the Regulatory Scrutiny Board. The outcome and conclusions of the study should therefore be considered as preliminary and treated with the necessary caution.

The impact assessment study suggests that only regulating the charging interface through an implementing act of the Radio-Equipment Directive would not result in substantial benefits (or costs) unless the Commission proposes also a decoupling (i.e. unbundling the sale of chargers and phones).

The (nearly finalised) study concludes:

- i. With respect to the option of regulating on a common charging interface, and the potentially resulting consumer convenience: *'benefits would be minor rather than major, and result mainly from the elimination under option of proprietary connectors (over 20% of the market), and/or the guarantee that all EPS¹ will be interoperable with all mobile phones, which in practice is already the case.'*
- ii. Concerning environmental impacts: *'achieving a reduction in material use, e-waste, and GHG emissions would require additional measures to facilitate and/or incentivise the sale of mobile phones without an EPS and/or cable assembly.'*

The study, however, points out that if the option above was complemented with 'decoupling' - i.e. the unbundling of charger from phone sales - with the consequence of promoting reuse of already owned chargers,- the benefits would be enhanced. The potential overall benefits would however depend on a range of factors, commercial/voluntary decisions made by manufacturers and distributors and/or accompanying measures such as awareness raising

¹ External Power Supply (the transformer part connected to the wall plug)

campaigns facilitated or supported by public authorities, etc. Relevant savings on e-waste are also obtained when the USB charger and the patch-cord are unbundled, as the patch cord is very frequently and easily damaged.

Given that, a further option which may be explored is the feasibility of regulating the 'decoupling' by means of implementing Regulations in the framework of the Ecodesign Directive. The regulatory approach could consist of either a) imposing an obligation of not equipping a certain product with a charger or b) adjusting (e.g. via a bonus/malus system) the energy or material efficiency requirements for products placed on the market without the charger. The further consideration of such requirements should be accompanied by a supporting analysis showing, if this is the case, that the product sold without charger entails a smaller environmental impact and, possibly, economic savings for the consumer. The Commission will start in Q1 2020 a preparatory study on potential Ecodesign requirements for smartphones, and this could represent a case where to investigate the legal feasibility of the abovementioned regulatory approaches (i.e. what approach could be accommodated within the limits of the Commission's empowerment).

With respect to the legal dimension, it is not clear that the objective of mandating a common charging interface standard can be achieved through a delegated act under art. 3.3 (a) of RED. Decoupling would certainly be out of the RED scope.

It has to be noted that the industry has contemporarily performed similar studies, overall reaching the same conclusions, apart for minor discrepancies.

2. STATE OF PLAY IN THE EUROPEAN PARLIAMENT

It has to be reminded that the Commission was criticised by several MEPs for not having sufficiently acted in the last ten years. In that context, the status of implementation of the Radio Equipment Directive and specifically the implementation of the "common charger" was discussed at last IMCO scrutiny of 6 November 2019.

The point was also raised during the hearing at EP of Commissioner Breton of 14 November 2019, who recalled the importance of having support from the study to analyse all the different aspects linked to the common charger such as consumer convenience, environment, innovation and technical challenges, etc. in order to launch the best possible legislative proposal.

As a consequence, [REDACTED] (EPP/PL), with the support of other EPP Members of the Parliament, put forward an oral question to the Commission which was supposed to be tabled during the EP December session. The EP proposes currently to handle the issue through a Commission statement at the EP plenary in January (tbc further by the Conference of President).

3. SUGGESTED COMMISSION LINE TO TAKE

The impact assessment study on the Common Charger is almost finalised. It will provide an essential input into the upcoming Commission's impact assessment that is/ will be prepared by the Commission services and that will be scrutinised by the Regulatory Scrutiny Board. The outcome and conclusions of the study should therefore be considered as preliminary and treated with the necessary caution.

According to the ongoing study, it appears that *there is no clear-cut "optimal" solution* but rather a combination of policy options, including regulatory and non-regulatory options,

which will have to be carefully considered in order to achieve the expected objectives to both improve consumers' convenience and reduce e-waste.

Imposing a common connector does not appear to be fully supported by the changed scenario. Whereas there were more than thirty chargers in 2009, nowadays only three standard types of connectors (USB-C, ageing USB micro B and proprietary Apple's Lightning) are present, in addition to wireless pads. However, the need to avoid a new proliferation of different connector solutions, especially when considering new developments such as wireless charging, has to be taken into account.

There are signs that environmental benefits would be enhanced by decoupling the charger from the device, which would result in an indirect reduction of (production and use by consumers of) new chargers. However, in addition to industry resistance, decoupling may face resistance from some consumers if not properly informed of the resulting advantages (price reduction, environmental advantages, possibility to use the connector for other devices etc.). Therefore, if made mandatory, it should be accompanied by consumers' awareness campaigns.

Finally, a mandatory harmonised charging solution should not limit innovation, i.e. the development and diffusion of new generations of "common chargers".

Given the limitation in the scope of RED and of its empowerment, any action through ordinary legislative procedure and/ or through other instruments, such as implementing measures under the Ecodesign Directive should be further explored and thoroughly assessed.

4. RECOMMENDATION TO THE COMMISSION

It is suggested that the GRI takes note of the line indicated in this fiche.

5. OFFICIALS RESPONSIBLE

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