To: 
Subject: RE: Inquiry regarding EU RED directive

Dear [Name],

Thank you for your message.

First, please accept my apologies for the delay in replying. Time for responding tends to be longer during the summer break.

Second, regarding your question, please note that the ‘Common Charger’ Directive (Directive (EU) 2022/2380) is an amendment of the Radio Equipment Directive 2014/53/EU (RED) and it only applies to the categories or classes of radio equipment listed in Annex I a.

From a regulatory point of view, the use or the external design of a product cannot determine to which category or class it belongs.

However, it shall be understood that the primary function (or intended use) of a product defines the category or class to which it belongs. For example, a laptop, which has a “child appealing” design, falls under the category “1.13 laptops” and not under the category of “toys” which the latter is currently not listed in the Directive. Therefore, the Directive applies to such product.

The ‘Common Charger’ Directive does not make any exception for any categories or classes of radio equipment covered (except digital cameras for audiovisual or surveillance and security sector which are excluded).

Finally, the purpose of the Commission is not to be the final arbitrator responsible for deciding on classification/categorisations issues. The Court of Justice of the EU has jurisdiction to interpret the Directive. Furthermore, the application of the new rules will take place at national level by the market surveillance authorities. We would advise you to contact national authorities if you have further questions on the implementation.

I hope this is helpful.

Regards,
[Name]

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From: [Name]@wacom.com>
Sent: Thursday, June 22, 2023 4:22 PM
To: [Name]@ec.europa.eu>
Subject: Inquiry regarding EU RED directive

Dear Sir or Madam,
I have an inquiry regarding the WTO TBT notification
https://eping.wto.org/en/Search/Index?viewData=%20G/TBT/N/EU/962
and hope you can answer our inquiry below:

The below definition of product scope says that the ICE number for “tablets” is “33.050”.

4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Mobile phones 33.050 and 35.180, tablets 33.050 and 35.180, headsets 33.120, headsets 33.120, digital cameras 37.040 and 35.180, portable speakers 33.120, handheld video game consoles 35.180 and 97.200, e-readers 33.050 and 35.020, keyboards 35.020, mice 35.020, portable navigation systems 43.040 and 33.070, earbuds 33.120, and laptops 35.020

According to the below website, 33.050 stands for “Telecommunication terminal equipment”.
https://www.iso.org/standards-catalogue/browse-by-ics.html

Generally telecommunication terminal equipment is considered to have the ability to connect to the public communication network or WLAN, and can be used as a terminal.
iPad, Android tablets, Chrome book will be in the scope. Telecommunication terminal equipment works as standalone.

In our (Wacom) product portfolio we have so called “pen tablets”. These are input devices connected to a host computer and provide pen or touch control of Windows or Mac user interfaces. Thus, we don't think they belong to ICE 33.050.

Even though Wacom Pen Tablet contains “tablet” in its name, it does not have the function of the ordinary tablets, a CPU or a memory.
I would like to confirm that Pen Tablet will not be required to meet the common charger requirements.

If you need more information to answer our question, please let me know.
Thank you.

Best regards

Pronouns: EMEA

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