

Annex 2 - Minutes



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Directorate C

Unit 3, Advanced Engineering and Manufacturing Systems

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GROW/C/3
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NOTE TO THE FILE

Subject: Meeting of Apple's representatives with Deputy DG A.I. Peltomaki on common chargers (Radio Equipment Directive, 2014/53/EC) on 01/02/2016

Participants: [redacted] (Apple), [redacted] (Apple), [redacted] (Apple),
Antti Ilmari PELTOMAKI (GROW), [redacted] (GROW), [redacted]
[redacted] (GROW), [redacted] (GROW)

The meeting starts with the Commission remarking that the Digital Single Market, the Digital Transformation and IT in general are priorities of the utmost importance. This is reinforced not only by the work of DG GROW, but also by a set of initiatives and exercises taken by the entire Commission and several other Institutions, at different levels. The Commission asked Apple for their reflections on the DSM and in particular on their needs to successfully manage the process of digitalisation.

Apple highlights that it has been prioritizing and investing in standardisation and interoperability. Also the common charger, which is a topic on the agenda, is related to this point. Apple delegates stress the point that the development of innovative products should have the priority against the harmonisation of the DSM and Apple is developing innovative solutions for the business environment. In Apple's view, regulation and the risk of fragmentation should be addressed after that innovation has taken place. With regard to this point, they also recall the MoU of 2009 on common chargers and mention that there is the intention to renew it by Digital Europe, the association of manufacturers. Apple asks for a specific input from the EC with regard to its approach towards the common charger and the draft Letter of Intent sent to the Commission. Apple highlighted the differences of their products against others and reiterates that any position of the EC should not prevent innovation.

The EC recalls that the MoU of 2009 was a first step into the field of common chargers and that the Commission's viewpoint has not changed substantially since then. After the Radio Equipment Directive of 2014, there is a clear mandate to adopt a common charger ensuring interoperability and competition. The Commission does not share the concern that innovation will be limited, as also confirmed by the outcomes of the RPA report.

At Apple's request, the EC recalled that there is widespread agreement between mobile phone manufacturers on the USB-C as the new standard for chargers. Apple stressed the link between innovation and a proprietary solution regarding the interface; They reiterated their viewpoint that initiatives on a common charger should focus on harmonising the interface on the power supply (i.e. the plug which is connected to the socket and the interface on it) and asked why such a solution, implying the use multiple detachable cables to connect the charging device to the mobile phone, would not be acceptable. The EC replied that the core of the mandate coming from the new Directive and the Parliament, as well as the spirit of the existing MoU, is also (and in particular) about the interface which is connected to the mobile phone, not only to the power supply. As a consequence, efforts shall be taken to harmonise the interface on the mobile side, not providing different cables. The EC perceives the common charger as the whole combination of power supply and the (detachable) cable, in analogy with chargers comprised of power supply and non-detachable cables. The discussion then focused on the acceptability of an adaptor, in the case of manufacturers willing to keep proprietary interfaces. EC conceded that an adaptor solution could be an acceptable compromise. At Apple's request whether a possible acceptable adaptor would be either (i) from USB-C to proprietary interface or (ii) to proprietary to USB-C, option (i) was provided as the Commission's answer. This also clarified some potential misunderstanding which arose in the last two months. The EC also added that an USB-C to proprietary adaptor shall be provided for free in the box, to address the interests of consumers in general and in particular those of first-time buyers of phones with proprietary end interfaces. Apple declared its reluctance to this option to avoid the proliferation of adapters and electronic waste.

The EC stressed the point that a voluntary and jointly agreed solution is still the preferred way to solve the common charger issue. The EC has left the Association of manufacturers free to decide on the standard, without imposing technical solutions. Regulating the market by law is the option to apply only in case where the voluntary agreement fails. However, going back to a fragmented market of common chargers is not an option. Before ending the meeting, Apple referred to further coordination with the rest of manufacturers within Digital Europe.

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