

**EUROPEAN COMMISSION**

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

Sustainable Industry and Mobility
Engineering, Maritime and Rail IndustriesBrussels,
GROW/C3/ [REDACTED]**NOTE FOR THE FILE****Subject: common charger – state of play**

The present note provides an overall report of the intended scope of the initiative, the current state of play of the file, the different options, and includes a section on interplay with other initiatives and studies being performed by other services (and in particular from ENER on ENV). The note also elaborates on policy options and envisaged timelines.

Background - Intended scope of the initiative

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 had started. Following the implementation of the agreement, charging solutions for mobile phones were effectively reduced from more than 30 to 2 (USB-B, currently being phased out and replaced by USB-C and Apple-Lightning solutions).

Given the success of the first MoU, the Commission fostered the renewal of a new voluntary approach from the industry, which, however, failed to deliver on a common charging solution.

The Commission decided then to launch an impact assessment (IA) study¹ on a possible regulatory initiative aiming to limit the fragmentation of the charging solutions for mobile phones and similar devices (the study). The study was carried out by Ipsos and Trinomics with support from Fraunhofer FOKUS and was published in January 2020. It assesses the impacts of different policy options on consumers, industry and the environment.

¹ Impact assessment study: common chargers of portable devices - <https://op.europa.eu/en/web/eu-law-and-publications/publication-detail/-/publication/c6fadfea-4641-11ea-b81b-01aa75ed71a1>

Current status

Following the outcomes of the IA study and internal discussions, it was clear that the option of only considering the interface part by imposing a common charger would not be sufficient.

A broader scope option, taking into account both the need for a common charging interface and the reduction of e-waste via de-coupling (selling of phones without chargers) was retained, as it would allow achievement of broader environmental objectives, in line with the Circular Economy Action Plan (CEAP).

This approach was supported by the EP too, who also required the inclusion of new interoperability charging technologies such as the wireless chargers².

Given that, the adoption of the common charger initiative was postponed in the Commission Work Programme 2020 with respect to the initially foreseen time schedule. It should be noted however that meeting the timetable indicated in the Adjusted Commission Work Programme of Q1 2021 will be challenging, due to the complexity of all the aspects to be considered and the related needed analysis.

Policy options

In order to integrate the above-mentioned different aspects, two main legislative options are being considered:

- 1) A new legal act (co-decision) under the Internal Market provisions of the TFEU (Article 114) covering both the interface aspects and de-coupling;
- 2) A combination of different proposals: amend the RED, through the ordinary legislative procedure (co-decision), to reinforce the Commission empowerments with respect to the common interface and wireless charging, and then supplement it with either a new legal act under ART. 114 TFEU or an implementing Regulation under the Ecodesign directive, on de-coupling.

Those options will combine with policy options envisaged in the framework of the Ecodesign Directive. More in detail, implementing Ecodesign Regulations at product specific level could foresee requirements with bonus/allowances for products sold without charger, as such alternative to mandatory de-coupling. As a result, new Ecodesign Regulations would be complementary to other non-Ecodesign initiatives, therefore, providing a synergic effect to the legislative acts on a common interface and on de-coupling.

However, since the timing for adoption of an implementing Regulation under the Ecodesign Directive is not compatible with the timing foreseen for the common charger initiative in the Adjusted Commission Work Programme 2020, the working hypothesis is that a new legal act would be needed for de-coupling.

Interplay with other initiatives and other supporting studies

The common charger proposal should be proposed in the framework of the 'Circular Electronics Initiative', which is aimed to foster longer product lifetimes and improve the

² EP resolution of 14 January 2020 - https://www.europarl.europa.eu/doceo/document/RC-9-2020-0070_EN.html

collection and treatment of waste specifically in the case of ICT products. It would be complementary with a number of actions such as Ecodesign measures on smartphones, tablets and computers (see explanations below), a proposal on the ‘right to repair’ and an EU-wide take back scheme to return or sell back old mobile phones.

In this context, a number of studies are ongoing.

These are namely:

- The review of the Ecodesign regulation on Computers, which will assess policy options on the use of a universal external power supply, battery durability and products lifetime in general (DG ENER). A specific and small study is envisaged in this respect, targeted to the technologic aspects related to the use of a universal external power supply in laptop and desktop computers - the main results for this study should be available by early 2021;
- The WEEE study on EU-wide return scheme (DG ENV), which will analyse (1) the scale of uncollected small Electric and Electronic Devices (EEE), (2) the schemes and incentives for returning small used EEE and (3) the recovery potential for these devices (study expected to be finalised by February 2021). It has to be noted that whereas the ‘EU-wide return scheme’ will target reduction of existing and future e-waste, the ‘common charger’ proposal will aim to reduce production of new chargers, the two measures being therefore complementary;
- The Ecodesign preparatory study on mobile phones and tablets (managed by GROW C1 – study expected to be finalised by February 2021), whose main aim is to assess the feasibility of Ecodesign and/or Energy Labelling requirements for mobile phones, smartphones and tablets. The study will assess, inter alia, material efficiency requirements for these products, possibly with a bonus/allowance for products sold without charger;

It has to be noted, though not directly related to the common charger initiative, that other studies will follow in support of the Ecodesign Working Plan 2021-2024, including the following two:

- the Universal External Power Supply (U-EPS), encompassing a wider number of additional mass market products;
- the universal removable battery and charger, to monitor the variety of incompatible, yet almost identical batteries with their chargers for mass market (such as cleaning, gardening or professional products) causing market fragmentation and lock-in of customers.

Studies on de-coupling and wireless charging

The above-mentioned studies do not specifically address de-coupling nor does the IA study of 2019, which did not extensively address wireless charging either.

In order to support the broader scope of the action, the following ad-hoc studies are being commissioned:

- 1) An **impact assessment study on de-coupling**. The study should identify different regulatory and non-regulatory policy options to achieve de-coupling. The study should assess the technical pre-conditions and consequences of de-coupling. Specifically concerning cables, the study will have to analyse durability aspects and elaborate on requirements that would extend their lifetime. The study should also provide the required analysis to be able to define classes of devices, beyond smartphones, which may be included in the scope of future initiatives.
- 2) A low-cost **technical study on wireless**, to analyse and update on the status of the wireless charging technologies.

Timelines

The technical study on wireless charging is expected to be finalised by end of 2020/beginning 2021. The study on de-coupling, being much more complex, will take at least 6 months from the date of signature of the contract.

Given the expected timeframe for the study on de-coupling, the most optimistic timeline for adoption of the common charger initiative, taking into account the web tool for better regulation procedures for major legislative initiatives³, is outlined below:

31 July 2020	Receiving offers from consultants on the de-coupling study
1 September 2020	Evaluating offers, award decision and launch of external study (de-coupling)
30 October 2020	Interim report from consultant (de-coupling)
(29 December) -- > 4 January 2021	Draft final report of the study on de-coupling received Deadline for circulating the draft final study report to IASG members
11 January 2021	Deadline for circulating the draft IA report to IASG members
18 January 2021	IASG meeting
End January 2021 (at latest)	Final report study on wireless charging (3 months study)
March 2021	Final report of the de-coupling study
April 2021	Publishing the final report of the studies on the Europa website
12 February 2021	Deadline for circulating the final IA to IASG members
19 February 2021	Last IASG meeting on draft IA (4)

³ <https://webgate.ec.europa.eu/connected/community/grow/legislative-procedures/major-initiative>

26 February 2021	Submission of the draft IA report to the Regulatory Scrutiny Board (RSB)
31 March 2021	Regulatory Scrutiny Board meeting
13 April 2021	Final RSB opinion
4 May 2021	Launch of Inter-service consultation (ISC) (5)
1 June 2021	End of ISC
15 June 2021	Revision of document post-ISC (6)
16-30 June 2021	Submission of documents to DG Translation (7)
6 July 2021	Submission of documents to Greffe
13 July 2021	Weekly Chefs de Cabinet meeting (Hebdo)
13 July 2021	Adoption of the proposal by the College