

ESMA/MELA comments on various (*technical/labelling/administrative*) aspects of the UAE residential lighting regulations due to **enter into force on 1st July 2014**

Answers from ESMA (**in red text**) to questions raised by the **Middle East Lighting Association**¹ regarding the recent publication of the UAE Residential Lighting Regulations.

Where no answers have been received from ESMA, MELA comments/assumptions have been added to better facilitate understanding of:

- The original question (**in blue text**)
- Certain technical/labelling/administrative issues addressed in the Regulation. (**in blue text**)

Q & A – March 2014

1. Do the product safety instructions need to be in Arabic and English? **Is it acceptable to use international symbols and IEC pictograms that have been widely used in other countries? Internationally accepted pictograms are allowed to be used as safety instructions. Where English text regarding safety aspects is used on packaging it also has to be translated into Arabic.**
2. From the text we assume that linear fluorescent lamps do not need an energy label. I.e. we assume from the text in Annex 2 that only Incandescent, Halogen, CFL and LED Lamps need energy label. Can you kindly confirm if this is correct? **This is correct. Linear FL lamps are included in the regulation on safety grounds only. Linear FL products need only respect safety criteria and do not therefore need an energy label.**
3. **Pse note that in the regulation as released by ESMA the hazardous substance section is now in contradiction with Table 12 of Annex IV. Article 3, point 4 (Conditions concerning dangerous chemical materials) says: "...tubular fluorescent lamps or lighting products for public lighting purposes are excluded from adherence to the conditions concerning dangerous chemical materials...". In view of this the Hg conditions for "double capped linear fluorescent lamps" included in Table 12 in Annex IV are now obsolete. Do you agree?**

¹ MELA is an international non-profit association that represents the interests of the Middle East Lighting Industry. MELA members include producers of light sources, luminaires & lighting control gear. They collectively supply a major share of lighting products on the Middle East market. For more information pse visit www.middleeastlighting.org or contact gerald.strickland@middleeastlighting.org.

4. Annex 2 makes mention of Compact Fluorescent lamps, but doesn't specify whether they are with or without internal control gear? Our understanding is that the reference in Annex 2 refers to CFLi i.e. Compact Fluorescent Lamps including internal control gear. **Yes this is correct. References to CFL or Compact Fluorescent Lamps in the existing text refer to integrated Compact Fluorescent Lamps CFLi.**
5. Regarding the request to have a *Hazardous Chemical Test should be from Third Party Laboratory*" this is unfortunately neither feasible nor practical. The consequence is severe on the entire lighting industry in terms of lab capacity, cost, timing etc. **Would a company self-declaration be acceptable? ESMA requires details from MELA member companies which specify how light sources are tested internally (in house) in order to be able to better understand whether a 'Hazardous Chemical Test should be from Third Party Laboratory' or not. Any additional details such as testing lab accreditation, ISO 17025 and any details regarding compliance with the Restriction of Hazardous Substances Directive would be useful. See comments on page 6.**
6. Can you please inform us when we will receive the final regulation in good quality English? The deadline for the Energy Labelling is of real concern to us especially in view of the fact that we do not have clear and concise instructions regarding the energy label with less than 4 months to go. **In view of the clarity we really need as international manufacturers** we ask that you kindly review the entry into force date for the energy label to 1st Jan 2015 or six months from the publication of the official English version of the residential lighting regulation. **Re postponement to the entry into force date this is not possible. ESMA will provide an official English version of the residential lighting regulation soon.**
7. The current Energy Label shown on page 40 of the Annex shows a requirement for annual energy consumption to be listed alongside the stars/label. **The consequence of this requirement is that the manufacturers of light sources/gear will have to print a different label for each technology family and wattage bracket resulting in thousands of different versions of the Energy Label leading to large cost burden. In addition to this there is no agreed methodology for the measurement of annual energy consumption of light sources and this is why the wattage is made available to consumers on the packaging. The request from MELA to ESMA is to drop the requirement on the label for annual energy consumption to be indicated. If this is not possible, please define how many burning hours mean annual definition and allow to show this figure outside the label anywhere on the packaging alternatively.**
8. Requirement for UAE Energy Label in high resolution. **In order to enable the manufacturers to prepare necessary packaging to meet the deadline the Energy Label needs to be made available to manufacturers in High Resolution format as soon as possible but preferably by no later than the end of March 2014.**
9. What is the Product registration requirement/scope? **The ESMA requirement for product registration is needed only for products that are directly covered by the regulation, therefore non-directional Halogen, CFLi and LED retrofit lamps, plus ballasts and luminaires used for these lamps types.**

10. What has happened to the original product and other definitions in the text? **Previous versions of the text originally submitted by MELA to ESMA listed a number of key definitions which were left out of the final text. The consequence of this is that a lot of the terms referred to in the text are now unclear. MELA request to ESMA is to re-introduce the definitions into the final version of the regulation.**
11. The grouping of products was said to be by product type. What does this mean? At what level please? E.g. INC, HAL, CFLi etc? What are the principles behind the ESMA 'product type' proposal? **No answer provided so far.**

Q & A – February 2014

1. What is the scope covered by the certification process i.e. does the certification process focus on safety requirements only or safety and performance and/or other requirements? **The Certification process includes, Safety, Energy Efficiency, Hazardous Chemicals and Functionality.**
2. What is the procedure for product registration? Are there any guidelines? **The procedures are defined on the document called General Requirements for the Emirates Conformity Assessment Scheme that can be found on www.esma.gov.ae**
3. Can internal test reports be used for the certification process or are 3rd party test reports required? **Safety Test Report should be a Third Party CB Report, Hazardous Chemical Test should be from Third Party Laboratory, Performance and Functionality Testing can be done internally subject to the capability and competence of the Manufacturer.**
4. "Step 1. All documents as listed in Clause 1.1 of this document to be submitted to ESMA as a formal application to the ECAS certification program." Where is Clause 1.1. and what are these documents? **These information are all mentioned in the ECAS Application form which the applicants can download at www.esma.gov.ae**
5. What is the deadline for requirements for use of the energy label? Is it July 2014 or Jan 2015? **July 2014.**
6. Is there a conversion table which indicates how the individual UAE standards relate to the equivalent IEC standards? **Conversion Table is not anymore necessary since UAE adopted exactly the requirements of the IEC Standards.**
7. MELA members urgently need an official English translation of (the residential lighting regulations and other relevant regulations such as LVD etc). Can ESMA please provide these official translations? **Yes we can release it couple of days after the Press Conference for Lighting Regulation.**
8. What are the fees for the certification process? There are application, verification and certification fees mentioned in Annex 6. How are the fees to be paid? **Fees are to be paid using edirham card or credit cards at ESMA office.**
9. HPMV is included in the RoHS section. We proposed to delete it as it is not a residential light source. **OK We will study it.**
10. How are products grouped for certification? By HS (customs) code or other system? **Certifications are grouped as per Product Type.**
11. Regarding Article 5 "symbol denoting ...safe riddance", is the EU pictogram i.e. a crossed-out dustbin acceptable? **Yes.**
12. Article 6, 8 refers to "dangerous compound". Can these be considered to be any of the Restriction of Hazardous Substances (RoHS) as defined in the EU? **Yes**

13. In Table 13: pse add the following exemption '0.2% Pb in glass, Pb as alloying element'. **Ok**
14. Regarding the Annex (in english) can ESMA provide an original electronic version (pdf) in good quality and colours? We are especially concerned about the energy label image. **Yes, we will send this to you.**
15. Does the energy label need to be printed on the packaging? It does not appear to be mentioned in the text. **Yes it has to be printed on the packaging.**
16. IEC standard 62612 – in EU the standard referred to is used for measurement purposes and **not** as a standard for mandatory performance. In the UAE regulation it appears to be used as a standard which specifies mandatory performance criteria. **MELA's understanding (from a compliance perspective) is that only safety standards, for products in the scope of the UAE residential lighting regulations, are mandatory.**

Hazardous Substances 3rd party lab testing requirement

Further to the **MELA/ESMA discussion about the hazardous substances 3rd party lab testing requirement**, please see the following input from our member companies. More information can be sent to ESMA direct on a per company basis if required.

The UAE regulation currently defines requirement per homogeneous materials²/components.

In the case of lighting products this can amount to over **a hundred different components (homogeneous parts) in a complex product like a CFLi or LED lamp with electronics** particularly if all six substance checks are made on every component separately. Reliance on self-assessment based on supplier declarations of the built in components/raw materials (from the EU and other parts of the world) is therefore in existence for a valid reason.

Suppliers of lighting products to the EU market currently have to fulfill the requirements stipulated by the Restriction of Hazardous Substances Directive (RoHS). RoHS is part of the CE labeling scheme.

The EU Harmonized Standard, EN50581, describes the conformity assessment which is based on as follows:

- material and supplier risk assessments
- material and conformity declarations from suppliers
- and/or test reports from laboratories

Testing can be carried out in ISO17025 accredited laboratories and it can also be done with in-house XRF screening equipment.

For wet-chemical analysis of RoHS substances there is an IEC standard series. In addition there is a standard for sample preparation for the measurement of mercury in lamps. But this more for market surveillance purposes. Producers normally have quality documentation about mercury dosing processes.

Our proposal is as follows: Manufacturers/importers should be permitted to provide a self-declaration and prepare technical documentation according European Standard EN50581. This method of demonstrating compliance for hazardous substances works well and could easily be adopted as an alternative requirement by ESMA for its lighting hazardous substance compliance program.

For further information regarding the procedure for RoHS conformity used in the European Union:

² What is a homogeneous material? It is either a material with a uniform composition throughout or a material that consists of a combination of materials, which cannot be disjoined or separated into different materials by mechanical actions such as unscrewing, cutting, crushing, grinding or abrasive processes.

When a product is placed on the market the manufacturer or the authorised representative established within the country are obliged to draw up a Declaration of Conformity as part of the conformity assessment procedure. This declaration must ensure that the requirements of the applicable Directive have been satisfied, i.e. with regard to the substance restrictions of the legislation.

Manufacturers or importers shall be required to draw up technical documentation and carry out the internal production control procedure or have it carried out on the manufacturer's behalf in order to ensure conformity with the substance restrictions. Basis for the requirements for the technical documentation can be the European Standard EN50581, a Harmonised European Standard on the required technical documentation²⁴ for the presumption of conformity with EU Directive 2011/65/EU – RoHS recast.