

Stakeholder survey for the evaluation of the Low Voltage Directive 2014/35/EU

Fields marked with * are mandatory.

Introduction

The European Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) is currently conducting the evaluation of the Low Voltage Directive (LVD) 2014/35/EU (Contact: Mr Luca Del Colombo, Desk Officer for the Low Voltage Directive, DG GROW Unit C.3, Luca.DEL-COLOMBO@ec.europa.eu).

In this context, Ecorys, VVA and Deloitte were mandated to analyse the performance of the LVD Directive in achieving its objectives relating to the internal market and the safety of consumers, to support the Commission in its evaluation.

The survey will take approximately 20 minutes to complete. No personal identification data is collected, and all information/views provided will be synthesised together with data collected through other means, thereby ensuring full confidentiality. The survey will remain open until the **31st of January 2019**.

You will find information on main purposes of the Low Voltage Directive 2014/35/EU, with links to main documents, guidance documents, etc. on the following webpage: http://ec.europa.eu/growth/sectors/electrical-engineering/lvd-directive_en.

The roadmap announcing the evaluation of the Low Voltage Directive 2014/35/EU has been published on 30/10/2017. The roadmap text and received feedbacks are available here: http://ec.europa.eu/growth/sectors/electrical-engineering/lvd-directive_en.

In parallel with this survey, a Public Consultation rather addressing the general public and consumers in particular will be launched. More details will be published on the main LVD web pages.

For more information, questions or comments about the survey and/or the evaluation, please contact Vilma Kuuliala at v.kuuliala@vva.it.

About you

Fields marked with * are mandatory.

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* Organisation name

255 character(s) maximum

ANEC, the European Consumer Voice in Standardisation

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision making.

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* Country of origin

Please add your country of origin, or that of your organisation.

- Austria
- Belgium

- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Iceland
- Liechtenstein
- Norway
- Other

* Please specify which one of these best describes the type of your organisation

- Manufacturer
- Distributor
- Importer
- Business association
- Consumer organisation
- Member State
- Other

Views on the Low Voltage Directive

* 1. How relevant do you consider the Directive to ensure the safety of electrical products?

- Very irrelevant
- Somewhat irrelevant

- Somewhat relevant
- Very relevant
- No opinion

Please elaborate:

The Low Voltage Directive (LVD) has generally worked well in providing a sufficient level of safety for consumers throughout the European Union.

*2. How relevant do you consider the Directive to ensure an internal market for LVD products?

- Very irrelevant
- Somewhat irrelevant
- Somewhat relevant
- Very relevant
- No opinion

Please elaborate:

The LVD has generally worked well in providing a sufficient level of safety for consumers in the EU, as well as aiding the free movement of electrical products. Consumers benefit from the greater choice of products, and from competition.
However, some limitations can still be observed. See further details below under question 9.

*3. A number of products falling under LVD scope also fall under other legislations. To what extent do you consider this is a problem?

A non-exhaustive list of legislations to be taken into account are:

- [Radio Equipment Directive 2014/53/EU](#)
- [Electromagnetic Compatibility Directive 2014/30/EU](#)
- [Machinery Directive 2006/42/EC](#)
- [General product safety directive 2001/95/EC](#)
- [Construction Products Directive 89/106/EEC](#)
- [Construction Products Regulation 305/2011/EU](#)
- [Ecodesign Directive 2009/125/EC](#)
- [Terminal Equipment Competition Directive 2008/63/EC](#)

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

Annex I of the LVD, points 2 c) and 3 a) both refer to mechanical safety. This has created some problems in the standardisation work. The draft standard for electrical furniture under CENELEC TC 61 is also dealing with mechanical safety, e.g. stability. This has caused a lot of discussion, as furniture experts (CEN TC 207) do not want electrical experts to work on mechanical issues. According to the LVD, the electrical experts need to take mechanical safety into account. In Europe, there are furniture standards dealing with mechanical requirements which may not be identical to what has been put into the electrical standard. The same problem has occurred for hoverboards. We wonder to what extent the text of the LVD could be adapted to help avoid such problems.

*4. To what extent merging the scope of the LVD with the Electromagnetic Compatibility Directive (2014/30/EU), the Radio Equipment Directive (2014/53/EU) and the Terminal Equipment Competition Directive (2008/63/EC) into one single act could facilitate implementation of these legislations?

- Great extent
- Some extent
- Limited extent
- Merging the scopes of the above legislations would not facilitate their implementation at all
- Don't know

Please elaborate:

The merging the scope of the LVD with the Electromagnetic Compatibility Directive (2014/30/EU), the Radio Equipment Directive (2014/53/EU) and the Terminal Equipment Competition Directive (2008/63/EC) into one single act could facilitate implementation of these legislations for certain aspects such as the security and digitalisation of products. However it remains to be seen how this would work in practice. For example, the role and functions of market surveillance authorities need to be further discussed. And the same goes for the standards which will be needed to provide presumption of conformity with the legislation. The sectorial /vertical approach is very present in today's standardisation and market surveillance activities and we can see difficulties in creating a more horizontal act. However we also see the potential merits of such a proposal because of the need to better take into account technological developments.

Most connected products presently available in the Single Market are designed and manufactured without even the most basic security features embedded in their software. In order for consumers to trust the Internet of Things, consumers must be assured that the connected products they purchase, or services they use, are secure and protected from software and hardware vulnerabilities. For this to happen security by design and by default must become a priority. To this end, the Low Voltage Directive (and other legislation) must be revised to ensure that connected products are both safe and secure before being able to be placed on the Single Market.

*5. The scope of the Directive is limited to electrical equipment designed for use with a voltage rating of between 50 and 1 000 V for alternating current and between 75 and 1 500 V for direct current. To what extent do you consider it still appropriate?

- Great extent
- Some extent
- Limited extent
- It is not appropriate anymore
- Don't know

Please elaborate:

There are many lithium battery products below 50V and there have been safety problems with these products, especially because of exploding batteries. Lamps in swimming pools (6V) and greeting cards with music are examples of products we believe should be covered by the LVD.

We therefore support the extension of the scope of voltage to zero. The LVD is a "total safety" directive covering mechanical hazards, energy and other risks, e.g. lamps, heat, lasers, high current products, lithium batteries, high brightness LEDs and moving parts etc.

For this reason, we believe the manufacturer must carry out a risk analysis before products in this lowest voltage category may be considered as benign.

Voltage limits have also been deleted under the RED Directive, in order to include ALL radio equipment.

*6. Should the Directive also cover equipment operating at voltages below 50V AC / 75 V DC?

- Yes
- No
- Don't know / no opinion

Please specify:

We support the lowering of the voltage to zero. See also under 5.

7. Should the following equipment and phenomena listed in Annex II also be included in the scope of the LVD?

* Electrical equipment for use in an explosive atmosphere

- Yes
- No
- Don't know / no opinion

* Electrical equipment for radiology and medical purposes

- Yes
- No
- Don't know / no opinion

* Electrical parts for goods and passenger lifts

- Yes
- No
- Don't know / no opinion

* Electricity meters

- Yes
- No
- Don't know / no opinion

* Plugs and socket outlets for domestic use

- Yes
- No
- Don't know / no opinion

* Electric fence controllers

- Yes
- No
- Don't know / no opinion

* Radio-electrical interference

- Yes
- No
- Don't know / no opinion

* Specialised electrical equipment, for use on ships, aircraft or railways, which complies with the safety provisions drawn up by international bodies in which the Member States participate.

- Yes
- No
- Don't know / no opinion

* Custom built evaluation kits destined for professionals to be used solely at research and development facilities for such purposes.

- Yes
- No
- Don't know / no opinion

8. To what extent are the definitions specified and listed in Annex II of the Directive well defined?

[The Low Voltage Directive 2014/35/EU](#) - see Annex II

* Electrical equipment for use in an explosive atmosphere

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Electrical equipment for radiology and medical purposes

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Electrical parts for goods and passenger lifts

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Electricity meters

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Plugs and socket outlets for domestic use

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Electric fence controllers

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Radio-electrical interference

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Specialised electrical equipment, for use on ships, aircraft or railways, which complies with the safety provisions drawn up by international bodies in which the Member States participate.

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

* Custom built evaluation kits destined for professionals to be used solely at research and development facilities for such purposes.

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

Consumer organisations' perspective on the Low Voltage Directive

In case of lack of exact figures, please provide your best estimate for the next questions.

*9. To what extent do you think that the LVD facilitates intra-EU exchange?

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

The LVD helps facilitate free movement of electrical products throughout the EU.

The LVD has generally worked well in providing a sufficient level of safety for consumers in the EU, as well as aiding the free movement of electrical products. Consumers benefit from the greater choice of products, and from competition.

However, some limitations can still be observed and be explained by the fact that:

- Member States may have different interpretations of the LVD and take a different approach to the implementation of the text. The way the LVD is enforced also suffers from a lack of consistency: national authorities not only have different resources to enforce the legislation, but also different approaches to enforcement (e.g. in the number of controls performed or in the methodologies used for testing, for imposing fines). We consider there is an urgent need to establish a European framework for market surveillance in order to ensure a coherent approach to market surveillance activities across Member States, and to make more financial and human resources available for surveillance activities;

- Market surveillance authorities are not aware of which (LVD) products are circulating on the market. Product registration has been introduced in the energy labelling field and we propose this registration database be extended to LVD products;

- Some economic operators, especially those belonging to the category of small and medium-sized enterprises or those operating from third-countries, may have limited knowledge and understanding of the LVD or its specific requirements;

Finally, the online purchase of electrical products poses a challenge for market surveillance & enforcement activities. It can also be unclear to consumers whether a product is sourced from outside the EU, even if the seller appears based in the EU. Clarifying the definition of "placing on the market", and who is responsible in the supply chain, is important to aid traceability and enforcement.

We trust some improvements will arise from the (draft) Regulation on Compliance & Enforcement, which seeks to update market surveillance rules for harmonized products, including electrical products. We believe it is of the utmost importance to make a legal representative in the Single Market obligatory.

* 10. To what extent do you think that the LVD improved the safety of electrical products sold on the EU market?

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

Thanks to the provisions of the LVD, European standards for household appliances have been revised to take into account the unsupervised use of these appliances by vulnerable consumers (children, older people & persons with disabilities).

The ANEC campaign to eliminate the “exclusion clause” from all electrical safety standards (the Part 2 standards in the EN 60335 series) has resulted in the millions of household electrical products sold in the EU being safer and more accessible for consumers of all ages and abilities.

The revised LVD has increased consumer protection as it reinforces that appliances can be sold only if they do not endanger the health and safety of persons under conditions of use which can be reasonably foreseen. Legislators heeded our call to take real consumer behaviours into account, as consumers can be effectively protected only if their (foreseeable) behaviours are reflected by manufacturers in product design. If manufacturers are allowed to rely on the concept of “intended use”, as laid down in the instructions for use of a product, consumers who are too young to read, or have a reading impairment, are at a higher risk of being exposed to harm or injury.

* 11. To what extent do you think that the tool of the conformity assessment procedures, as provided by the LVD 2014/35/EU, is sufficient and appropriate to guarantee the safety of electrical products?

- Great extent
- Some extent
- Limited extent
- No extent
- Don't know

Please elaborate:

There is no conformity assessment procedure in the LVD implying the intervention of a notified body. Products under the LVD are self-certified. At the same time, electrical appliances remain hazardous and can kill. Therefore, we ask for at least the ongoing production control by manufacturers (A1 module) and in certain cases third-party certification (A2 module). See PPE and Medical Devices Directives as setting the example: the higher the risk, the higher the module.

12. Since the LVD 2014/35/EU, the notified bodies are not anymore part of the procedure. What do you think is the effect of the current absence of notified bodies?

| | Strong negative impact | Somewhat negative impact | Somewhat positive impact | Strong positive impact | No impact | Don't know / no opinion |
|---------------------------------|------------------------|--------------------------|--------------------------|------------------------|-----------------------|----------------------------------|
| * Concerning costs to industry | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Concerning safety of products | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

| | | | | | | |
|-----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|
| * Concerning internal EU exchange | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
|-----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|

Please elaborate:

* 13. Do you consider the instructions guide and mandatory information to be provided to final users sufficient?

- Yes
- No

* 14. Do you participate in consultation bodies of the LVD?

- Yes
- No

Please specify

ANEC participates as stakeholder in the Low Voltage Directive Working Party, representing the interest of consumers.

If yes, what are the annual costs of participating in these consultation bodies?

We have not calculated a cost, but participation of the ANEC Secretariat in Brussels meetings is negligible.

* 15. Do you participate in standardisation committees of the LVD?

- Yes
- No

If yes, what are the annual costs of participating in these standardisation committees?

See above under question 14 and below under question 17.

* 16. What are the benefits of participating in standardisation committees/consultation bodies?

Standards affect us all every day and everywhere, contribute to economic growth and address societal needs. For consumers, standards are important as, when they are properly developed and applied, they can make our lives easier; the products we buy safer, interoperable and accessible to people of all ages and abilities. They can also improve product performance and help reduce environmental impacts. Moreover, standards can aid the quality and safety of services.

Nevertheless, without effective consumer representation in the writing of standards, products need not be as safe, as interoperable, as accessible or as green as they might be. Knowingly or not, the position of business interests in the development of standards (industry dominates the standardisation process for LVD products) can undermine the broader consumer interest. Moreover, consumer expertise at national level is scarce or non-existent in most countries. Hence the role of ANEC, as the collective voice of European consumers in standardisation, is crucial in influencing the content of standards so that all consumers can benefit from their use. We ensure the consumer voice is heard in the setting of standards for products (and services), as well as in the shaping of laws and public policies.

* 17. Are those benefits proportionate to costs?

- Yes
 No

Please comment:

In 2018, the ANEC budget was 1,44M€ (or 1€ for every 410 European consumers). Of this, about 125.000€ was committed to representing the collective European consumer interest in work related to the LVD.

Closing questions

* What is the overall value added of the LVD? What consequences would you foresee for your organisation in the event of the Directive being repealed?

The Low Voltage Directive (LVD) has generally worked well in providing a satisfactory level of protection and safety for consumers throughout the European Union.

Thanks to the provisions of the LVD, European standards for household appliances have been reviewed to take into account the use of the appliances by vulnerable consumers. The ANEC campaign to eliminate the “exclusion clause” from all electrical safety standards (the Part 2 standards in the EN 60335 series) has resulted in the millions of household electrical products sold in the EU being safer and more accessible for consumers of all ages and abilities.

Your responses provided in this questionnaire are treated confidentially. In case you are interested in providing the study with more input via a (confidential) telephone conversation, please provide:

Your first and last name

Tania Vandenberghe

The name of your organisation

ANEC

Your phone number

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Contact

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