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|  | EUROPEAN COMMISSION  Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs |

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**Applicability of the LVD/EMCD/RED to Specific Categories of Products**

# Introduction

This document aims at clarifying the applicability of Directive 2014/35/EU (LVD), Directive 2014/30/EU (EMCD) and Directive 2014/53/EU (RED) with respect to the following:

-Several radio/electrical products placed on the market or made available together (e.g. in the same packaging);

-Non-radio electrical equipment functioning with radio equipment;

-Radio or electrical equipment in non-electrical equipment.

This document has been prepared by the competent Commission services in collaboration with the relevant national authorities and stakeholders.

It is publicly available but is not binding in the sense of a legal act adopted by any of the EU institutions, even if the word 'shall' is used in many parts. In the event of any inconsistency between the provisions of the LVD/EMCD/RED and this document, the provisions of the LVD/EMCD/RED prevail.

# Several products

Two or more separate finished radio/electrical products may be placed on the market or made available together (e.g. in the same packaging), even if they have been manufactured by different persons.

The relevant economic operator needs to verify on a case- by-case basis whether a combination of products and parts has to be considered as one finished product in relation with the scope of the relevant legislation or whether they should be considered as separate finished products. For this purpose, the reasonably foreseeable and intended use has also to be taken into account.[[1]](#footnote-1)

Based on the scope of the LVD/EMCD/RED, it can be concluded, for example, that:

- cables which are permanently attached or integrated into a computer or radio or television are not separate products; in this example the computer or radio or television, together with the cables, is a single finished product;

-a charger with a mobile telephone are two separate finished products (even if delivered in one packaging).

If based on the scope of the relevant EU legislation, the different products placed or made available on the market together (e.g. in the same packaging) are considered as separate finished electrical/radio products, the following applies:

- each individual finished electrical/radio product shall comply with that legislation;

-each individual finished electrical/radio product shall bear the CE marking, contact details of the manufacturer and, if applicable, the importer and any other required information (unless this is not possible because of the characteristics of the product or is not required by the applicable EU legislation).

If radio/electrical products are placed or made available on the market together (e.g. in the same packaging) and intended to interact together even occasionally, they represent a new model in the supply chain and the following shall also apply:

-the risk assessment performed during the conformity assessment procedure shall take into account the combination and interaction of the different radio/electrical products, placed or made available on the market together, whether they are considered to be one or separate finished products; i.e. the combination of these products shall be considered, during the risk assessment (e.g. tests), as one single functional unit;

-only one manufacturer (and, if applicable, one importer) shall be identified and undertake responsibility of the compliance of these finished radio/electrical products;

-it is possible to issue only one DoC (and one simplified DoC) identifying the applicable EU acts for each of these finished radio/electrical products (when DoC is required by the applicable EU legislation).

# Non-radio electrical equipment functioning with radio equipment

Where electrical or electronic products whose function is not to intentionally emit or receive radio waves for the purpose of radio communication and/or radiodetermination (non-radio products)[[2]](#footnote-2) function with radio equipment, the RED is applicable to the whole non-radio product only if the radio equipment is:

* incorporated into the non-radio product; and
* permanently affixed to the non-radio product[[3]](#footnote-3).

If the radio equipment is incorporated in a fixed and permanent way in the non-radio product at the moment of its placing on the market (i.e. in such a way that it cannot be easily accessed and readily removed), as specified above, this product is deemed to be a single product.

In the other cases, the radio equipment and the non-radio electrical equipment are considered as separate finished products andonly the radio equipment is subject to the RED.

# Radio or electrical equipment in non-electrical equipment

If non-electrical equipment[[4]](#footnote-4) includes one or more radio/electrical/electronic products, which they fall within the scope of the RED/LVD/EMCD, the person who places on the market these radio/electrical/electronic products is the responsible manufacturer and shall perform a risk assessment; when a person incorporates the radio/electrical/electronic products into the non-electrical equipment and then makes it available, that person shall ensure that the compliance and intended function and performance of the radio/electrical/electronic products are not affected; otherwise that person shall undertake the responsibilities of the manufacturer of those radio/electrical/electronic products and assess any related risks.

1. See also Chapter 2.1 of the Blue Guide which states:

   'A combination of products, which each comply with applicable legislation, does not always constitute a finished product that has to comply itself as a whole with a given Union harmonisation legislation. However, in some cases, a combination of different products designed or put together by the same person is considered as one finished product which has to comply with the legislation as such. In particular, the manufacturer of the combination is responsible for selecting suitable products to make up the combination, for putting the combination together in such a way that it complies with the provisions of the laws concerned, and for fulfilling all the requirements of the legislation in relation to the ‘assembly’, the EU declaration of conformity and CE marking'. [↑](#footnote-ref-1)
2. Examples of electrical or electronic products whose function is not to intentionally emit or receive radio waves: Machines, Medical Devices, Kitchen Appliances, Luminaires. [↑](#footnote-ref-2)
3. The same conclusion was stated in the Guide of the repealed Directive (R&TTED) and on this point there is no modification between the provisions of the repealed Directive and the RED. [↑](#footnote-ref-3)
4. E.g. shoes, furniture, luggage. [↑](#footnote-ref-4)