

## Position Paper on the Low Voltage Directive

18 April 2019

The Low Voltage Directive (LVD) is an undeniable milestone of the product harmonisation legislation. To remain relevant and effective in the future, we recommend that:

1. the selection of modules for conformity assessment are increased
2. its interface with the Cybersecurity Act is well designed
3. its interface with other sector specific directives, and particularly the Radio Equipment Directive, becomes smoother
4. its scope is expanded to lower voltage limits.

Firstly, it is important that the choice for conformity assessment modules provided by the Directive would be expanded to include modules involving notified bodies. This would prevent dangerous and otherwise non-compliant products from entering the market.

Our 2015 international consumer product study illustrated that products tested by third parties are predominantly safer than those subject only to self-declaration of conformity. This is particularly important for products falling in the LVD's scope, as they have been reported as largely dangerous in the RAPEX reports over time<sup>1</sup>.

This trend will potentially increase as products operate in more interconnected environments<sup>2</sup>. Therefore, manufacturers should have the possibility to use all necessary means to ensure their products' safety as part of a connected ecosystem.

Secondly, we strongly recommend that the European Commission adapts the LVD, and all product legislation, to ensure a consistent alignment with the Cybersecurity Act. Third-party certification has been selected against cybersecurity dangers as the most efficient method to address them at Union level. Therefore, any LVD revision needs to address cybersecurity risks for all connected products in a harmonised way with the Cybersecurity Act.

Moreover, the European Commission should prepare guidance for manufacturers and authorities on the interaction between product specific legislation and the Cybersecurity Act.

Equally, it is important that the LVD will be designed to be easily applied along with other Directives and Regulations that often apply to electric products. Today we notice many misinterpretations, perhaps even misuses, among economic operators. Looking at the digital transformation of electrical devices, particular attention should be paid to the interface with the Radio Equipment and the Electromagnetic Compatibility Directives.

Thirdly, the LVD's scope shall not specify a lower voltage range for alternating or direct current so that all electrical products would be covered. This will improve the clarity in the single market as to products operating

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<sup>1</sup> In the European Commission's [RAPEX](#) reports during 2013 to 2018, electrical appliances and equipment scored constantly in 3<sup>rd</sup> resp. 4<sup>th</sup> place of the most non-compliant products categories.

<sup>2</sup> In 2018 the German Federal Network Agency ([Bundesnetzagentur](#)) effected 939 market-restrictive measures for non-compliant connected electrical and electronic products, corresponding to a total of 12,19 million non-compliant products kept out of the market.

at lower voltage levels. In particular, a scope extension will address risks caused by batteries, especially Li-Ion, used in mobile devices and power banks, addressing new developments in battery technology providing ever stronger energy capacities.

Fourthly, we consider that the Directive should become a Regulation to ensure a more harmonised application and enforcement by the Member States.