



Notification Number: 2011/97/F

Decree relating to the photobiological risks of lights and fittings using luminescent diodes

Date received : 03/03/2011
End of Standstill : 06/06/2011 (06/09/2011)
Issue of comments by : Austria,Italy,United Kingdom
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - SG(2011) D/5489
Directive 98/34/EC
Translation of the message 001
Notification: 2011/0097/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201100489.EN)

1. Structured Information Line

MSG 002 IND 2011 0097 F EN 03-03-2011 F NOTIF

2. Member State

F

3. Department Responsible

Délégué interministériel aux normes – SQUALPI – Bâtiment Le Bervil - 12, rue Villiot –
75572 PARIS Cedex 12
d9834.france@finances.gouv.fr
tél : 01 53 44 98 24 – fax : 01 53 44 98 88

3. Originating Department

Direction Générale de la concurrence, de la consommation et de la répression des fraudes



Sous-Direction E-Bureau E2-Biens d'équipement Produits de construction
Télédéc 242
59 boulevard Vincent Auriol 75703 Paris Cedex 13
Téléphone : 01 44 97 32 13
Télécopie : 01 44 97 30 40
Courriel : e2@dgccrf.finances.gouv.fr

4. Notification Number

2011/0097/F - N20E

5. Title

Decree relating to the photobiological risks of lights and fittings using luminescent diodes

6. Products Concerned

Lights and fittings intended for domestic use, the lighting function of which is ensured through the use of light emitting diodes

7. Notification Under Another Act

-

8. Main Content

The draft Decree stipulates that only LED lights and fittings intended for domestic use with a zero or low photobiological risk can be sold on the French market.

The draft Decree states that the level of risk will be assessed using the classification tool provided for by the standard applicable to LEDs, which defines 4 levels of photobiological risk: zero, low, moderate, high.

It also contains a mutual recognition clause intended to eliminate any obstacle to intracommunity exchanges. This clause eliminates any obstacles to the placing on the French market of lights and fittings considered as safe under the provisions in force in other Member States.

9. Brief Statement of Grounds

9. The French Agency for Environmental and Occupational Health and Safety (AFSSET) conducted a study into the health effects of the fittings in lighting systems using light emitting diodes. The conclusions of this study indicated that exposure to LED lights could cause harmful effects to health, the seriousness and probability of occurrence of which are linked to the photochemical effects due to high proportion of blue light in the transmission spectrum of these lights and the glare that these produce. The populations that are most at risk have been identified: children below 8 years of age, persons sensitive to light or with ocular diseases.

The French authorities have sent the findings of this study to the European Commission. The European Commission reiterated that it had requested an opinion on this matter from the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) and that it may, in the future, commission other standards institutions to review and tighten the safety standards applicable to LEDs.

The French authorities have decided to refrain from deferring consumer protection measures until the relevant reference standard has been amended. In this regard, the authorities will follow the recommendation of the



AFSSET, which recommends restricting the placing on the market of LEDs to only lights and fittings that pose a zero or low photobiological risk to health. This restriction only concerns lights and fittings for domestic use.

10. Reference Documents - Basic Texts

Reference texts: French Consumer Code, in particular Article L.221-3

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT relevance

No - The draft is neither a technical regulation nor a conformity assessment.

SPS relevance

No - The draft is not a sanitary or phytosanitary measure.

Catherine Day
Secrétaire général
Commission européenne

Point de contact Directive 98/34
Fax: (32-2) 296 76 60
email: dir83-189-central@ec.europa.eu