



Legal requirements on PC's and Notebooks

Guidelines
Version 2.0

■ Impressum

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Introduction

This guide summarizes all legal requirements for placing PC's and Notebooks into the German market. The guide consists of 4 sections: safety, electromagnetic compatibility, telecommunication, and environment.

Each section lists the requirements (directives, acts), followed by non-legislative regulations and concretizing provisions (standards, market-typical requirements). These non-legislative regulations refer to the before mentioned regulative requirements, except in the paragraph on environment.

The one who places the products to market declares product compliance to the applicable EU Directives (safety,

electromagnetic compatibility, telecommunication) by affixing the CE marking onto the product. A product can meet those regulatory requirements by complying with the relevant harmonized EU standards listed in the sections below.

If IT product and / or telecommunication equipment are intended to be deployed in non-IT environments (e.g. medical environment), further regulative requirements or non-legislative regulations may apply. If requirements from other legal domains must be met, the procurement operator shall formulate this explicitly in a suitable form.

1 Product Safety (CE marking)

■ 1.1 Regulative Requirements

- EU Low Voltage Directive 2006/95/EC
- German Equipment and Product Safety Act (GPSG)

- EN 62311 or EN 50371 (safety in electromagnetic fields)

Remark: Applicable versions of the harmonized standards are published in the EU Official Journal.

■ 1.2 Norms, Standards, Market-Typical Requirements

- EN 60950-1 (safety of information technology equipment)

2 Electromagnetic Compatibility (CE-marking)

■ 2.1 Regulative Requirements

- EU EMC-Directive 2004/108/EC
- German Act for the electromagnetic compatibility of equipment (EMVG)

■ 2.2 Norms, Standards, Market-Typical Requirements

- EN 55022 (Class A or B limits and measurement method)

- EN 55024 (Limits and measurement method)
- EN 61000-3-2 (Limits for harmonic current emissions)
- EN 61000-3-3 (Limitation of voltage changes, voltage fluctuations and flicker)

Remark: Applicable versions of the harmonized standards are published in the EU Official Journal.

3 Telecommunication (CE-marking)

■ 3.1 Regulative Requirements

EU R&TTE-Directive 1999/5/EC (Radio & Telecommunication Terminal Equipment)

German Act on radio equipment and telecommunication terminal equipment (FTEG)

■ 3.2 Norms, Standards, Market-Typical Requirements

Radio Spectrum:

- EN 300328 (wideband transmission system 2,4 GHz, e.g. Bluetooth, WLAN 802-11b/g/n)
- EN 301893 (broadband radio access networks 5GHz, e.g. WLAN 802-11a/n)
- EN 301511 (global system for global communication, GSM)

- EN 301908 (universal mobile telecommunication system, UMTS)

Electromagnetic Compatibility¹:

- EN 301489-1 (common technical requirements for wireless transmission systems)
- EN 301489-17 (specific conditions for broadband wireless data transmission systems, e.g. Bluetooth, WLAN)
- EN 301489-7 (specific conditions for GSM)
- EN 301489-24 7 (specific conditions for UMTS)

Product Safety (identical to zu 1.2):

EN 60950-1 (Safety of technical information systems)

EN 62311 or EN 50371 (Safety in electromagnetic fields)

Remark: Applicable versions of the harmonized standards are published in the EU Official Journal.

¹In case only wired interfaces are present, the requirements listed under 2.2 have to be applied

4 Environment

■ 4.1 CE-Marking

- DIRECTIVE 2005/32/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 July 2005 establishing a framework for the setting of ecodesign requirements for energy-using products and amending Council Directive 92/42/EEC and Directives 96/57/EC and 2000/55/EC of the European Parliament and of the Council
- Regulation (EC) No. 1275/2008 of the European Commission of 17 December 2008 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment
- Regulation (EC) No 278/2009 of 6 April 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for no-load condition electric power consumption and average active efficiency of external power supplies
- DIRECTIVE 94/62/EC of 20 December 1994 on packaging and packaging waste
- Ordinance on the Avoidance and Recovery of Packaging Wastes (Verpackungsverordnung – VerpackV)
- DIRECTIVE 2006/66/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC
- Ordinance on return and recycling of used batteries and accumulators (Batteries Ordinance, Batterieverordnung – BattV)
- Regulation (EC) No. 1907/2006 of the European Parliament and the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
- Act on protection against hazardous chemicals (Chemical Act, Chemikaliengesetz - ChemG)
- Ordinance on prohibition and restriction of placing on the market of hazardous chemicals, compounds and products according to Chemical Act (Chemikalienerbotsverordnung – ChemVerbotsV)
- Regulation (EC) No. 842/2006 of the European Parliament and the Council of 17 May 2006 on certain fluorinated greenhouse gases
- Ordinance on prohibition of certain halogenated hydrocarbons that reduce the ozone layer (FCKW-Halon-Verbots-Verordnung)
- Ordinance on the protection against hazardous substances (Hazardous Substances Ordinance, Gefahrstoffverordnung – GefStoffV)

■ 4.2 Regulative Requirements

- Directive 2002/96/EC of the European Parliament and the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE)
- Directive 2002/95/EC of the European Parliament and the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS)
- Act governing the sale, return, and environmentally sound disposal of electrical and electronic equipment (Electrical and Electronic Equipment Act - ElektroG)
- Act for promoting closed substance cycle waste management and ensuring environmentally compatible waste disposal (Kreislaufwirtschafts- und Abfallgesetz; KrW-/AbfG)

■ 4.3 Norms, Standards, Market-Typical Requirements

- Standard ECMA-370: TED - The Ecodeclaration (3rd Edition / December 2008): www.ecma-international.org/publications/standards/Ecma-370.htm
- ENERGY STAR® Star Program Requirements for Computers: Version 4.0: <http://www.eu-energystar.org/>

downloads/specifications/20061023/Computer%20V4.0%20Final%20Spec.pdf

- ENERGY STAR® Program Requirements for Computers: Version 5.0:
http://www.eu-energystar.org/downloads/specifications/20081118/final/Computer_Spec_Version%205%200_%20Final%20Novo8.pdf

- ENERGY STAR® Program Requirements for External Power Supplies Eligibility Criteria: Version 2.0
http://www.energystar.gov/ia/partners/product_specs/program_reqs/EPS_Eligibility_Criteria.pdf

5 Background Information

The domestic market is one of the great achievements of the European Union. While allowing for free movement of goods, services, capital and work, it forms one of the fundamentals of prosperity in the EU. The mechanisms and procedures put in place by the EU ensure a mutual recognition of technical harmonization and, therefore, lead to a free movement of goods through avoidance of barriers to trade. This is an important cornerstone of the domestic EU market.

Both the „New Approach“, or more recently called the „New Legislative Framework“ for product regulations, and the “Global Approach” for conformity assessment have an outstanding importance for the economy. They reduce the intervention of the government to a minimum and provide a maximum freedom of action to industry within the limits of the industries obligations.

Components of the New/Global Approach:

- Only products complying with the basic requirements are allowed to be placed on the market or put into operation.
- Presumption of conformity applies to standards listed in the official journal of the EU and translated into national standards.
- The application of harmonized standards or other technical specifications remains voluntary. Manufac-

turers may choose any technical solution as long as they ensure conformity to the basic requirements.

- Manufacturers may choose between several conformity assessment methods that are provided in the technical directives.

This means that manufacturers of IT products must apply the CE-mark to their products before they can be placed on the market. By applying the CE-mark, the manufacturer declares the conformity with the relevant requirements of the new approach directives at the time of placing on the market. Some products not falling under the R&TTE-Directive require the manufacturer to prepare a EU DoC (Declaration of Conformity) and make it available to the authorities upon request. The DoC must either be enclosed with the product or be made available over the Internet, in which case the link to the DoC must be enclosed with the product. The link must be made available to the user, preferably in the manual. The DoC contains the confirmation of conformity of the product to any applicable requirements and protection goals of the respective EU directives. DoC's may show a list of the harmonized standards used for the conformity assessment (decision of the council 93/465/EWG).

Harmonized standards represent the state of the art of technology. If products conform to the applicable harmonized standards, then it can be assumed that they also conform to the applicable directives (presumption

of conformity). The following link leads to the EU Blue Guide with more details on the New/Global Approach: <http://ec.europa.eu/enterprise/newapproach/legislation/guide/index.htm>

The German Association for Information Technology, Telecommunications and New Media (BITKOM) represents over 1,200 companies. Its more than 900 direct members generate a sales volume of 135 billion euros annually and employ 700,000 people. They include providers of software, IT and telecommunication services, manufacturers of hardware and consumer electronics as well as digital media enterprises. BITKOM is committed in particular to an improved regulatory framework, a modernized education system and an innovation oriented economic policy.



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