

BRUSSELS, 17 July 2015

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## Letter to DeitY on Safety Product Registration Notification phase II

We are writing to you due to the concerns of our members regarding a Notification issued by the Department of Electronics & Information Technology (DeitY), on the extension of the Compulsory Registration Order 2012 Phase II to 15 additional product categories of which batteries and cells are included and are scheduled to be registered by August 13th 2015.

The Notification was published on 13th Nov 2014 but it was not until February that a safety test laboratory was ready to perform battery testing and gain BIS accreditation. To this date there are only three accredited test labs which were relatively recently added for a product category that is common in so many ITE and consumer products in this digital wireless era.

While manufacturers were fully occupied in preparing and filing for registration on the remaining 14 additional product categories that were included in the same Nov 13th notification, these activities consumed their recourses. As a result, they have now a very limited window to test in the limited list of BIS accredited test houses where capacity is already strained, resulting in great difficulty to meet the Aug 13th deadline for cells and batteries. The full compliance cycle of batteries and cells is quite drawn out as it can be considered as two product categories where cells shall be registered prior to battery packs. This all leads to a long process as the BIS CRO includes a training mentoring cycle on the application process with both cell and pack vendors and factories, and then testing, labelling and logistics have to be considered accordingly. This is all magnified when there are multiple manufactures for the one cell / pack. Ultimately, Industry feels without an extension to this CRO, manufactures of consumer and ITE goods will be unable to service Indian consumers, which means that many may turn to alternative measures of grey and black market activity.

We would like to kindly request that your Department grants an extension for this category of products for at least nine months allowing DeitY and the Bureau of Indian Standards (BIS) to address the concerns raised by Industry and other stakeholders including test laboratories and certification experts. This would allow manufacturers to adequately meet their requirements, achieve the Government's objective for the Indian market, and would also allow for a better awareness among Indian consumers and industry.

We recognise the Government of India's approach in regulating product safety to Bureau of Indian Standards, which are based on international standards. We also wish to assist this activity in achieving its regulatory goal by providing possible recommendations based on our experience of global safety standards that we as an industry body via our members are active in developing and maintaining.

We acknowledge the three months extension recently granted for mobile phones and power adapters. In addition to the cell and battery registration challenges attached is an annex, where we bring to your attention a number of areas that still require clarification.

We want to work together with your support and your regulatory objectives, while at the same time minimizing the impact on local manufacturing and trade. We ask for the current implementation date to be delayed and for industry concerns to be taken into consideration.

Thank you for the opportunity to raise these matters.

## Annex

Here we bring to your attention a number of areas that still require implementation and clarification. The issues were highlighted in the past and some indications were given of promised reform in these areas but it is yet to materialise.

- E-labelling as an alternative option to embossed/engraving the compliance marking on the products that are accompanied with a display as this has now been adapted and successfully implemented in many geo markets. The purpose of e-labelling is to allow manufacturers to electronically display conformity marking or other relevant information on radio or other ICT equipment on an integral screen, rather than affixing this information on the product. DeitY and BIS have considered this and it is understood that indications were given that this could be adopted but Industry has not yet been notified.
- BIS logo to replace the long self-declaration BIS statement was also promised to be rolled out in April of 2015 however this is yet to be notified to Industry. Currently there are limitations on the large BIS self-declaration statement and industry are challenged for small products where space is constrained to maintain the minimum font size.
- Brand registration was requested by industry to avoid multiple factories each applying for registration on products simultaneous duplicating efforts. These multiple factory facilities have the same layout with duplicate line configuration in all factories with the same set of build specifications, quality assurance criteria, processes and bill of materials for all sites. DeitY/BIS jointly promised to reform the necessity of individual factories registering for the same products that are in many cases built in multiple factories with the ability to service the Indian market demands. This is also yet to be notified to Industry.
- BIS are not recognising International accredited test reports under the IECEE CB scheme in which BIS are signatories of. This results in Industry performing repeated testing to the same standards. Industry is severely challenged to test and register products within the period allowed with the few local laboratories accredited to date.

- Up to recently BIS were accepting both IEC and or UL certified components for critical components as per the norms of the IECEE CB scheme. In recent weeks, BIS has rejected the acceptance of UL certified components. UL accreditations are equivalent to IEC and in many cases even more stringent. We urge DeitY and BIS to revert on this decision and abide by IECEE CB scheme where IEC and equivalent, e.g UL certified components, are accepted as valid certifications for critical components.

Thank you for your consideration of these comments.

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For more information please contact:

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## ABOUT DIGITALEUROPE

**DIGITALEUROPE** represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies.

**DIGITALEUROPE** ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include 59 corporate members and 36 national trade associations from across Europe. Our website provides further information on our recent news and activities: <http://www.digitaleurope.org>

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