

Name: **Horizon ANTICSS – Advisory Board Meeting No. 1**
 Date: **14 December 2018, (9:00 – 15:00)**
 Venue: **AUSTRIA / VIENNA:
 Bundesministerium für Digitalisierung und Wirtschaftsstandort (BMDW)
 Stubenring 1 | 1010 Vienna | Austria, Room 216**
 Hosting partner: AEA; contact for organizational issues:
 Thomas.bogner@energyagency.at | christian.praher@energyagency.at
 Participants: OEKO, AEA, ENEA, FFII-LCOE, SEVEN, ECOS (Management Board members)
 BMWFW; Re/gent; VDE

PREMESSA

Informazioni relative al progetto

ANTICSS (accordo di sovvenzione id: 785122)

<https://www.anti-circumvention.eu/about-project/project-introduction>

- Stato: Progetto in corso
- Data di avvio: **1 aprile 2018**
- Data di completamento: **31 marzo 2021**

Finanziato da: H2020-EU.3.3.7. , H2020-EU.3.3.1.

- Bilancio complessivo: € 1 961 948,75
- Contributo UE: € 1 961 948,75

Coordinato da: **OEKO-INSTITUT E.V. - INSTITUT FUER ANGEWANDTE OEKOLOGIE (Germany)**

<https://cordis.europa.eu/project/rcn/213579/factsheet/it>

La manipolazione dei risultati delle prove, o la "circonvenzione" (CV), è un tema d'attualità, non solo per quanto riguarda l'emissione delle autovetture ("dieselgate"), ma anche per quanto concerne la legislazione dell'UE. Per questo motivo è stato avviato il progetto "**ANTICSS - Anti-Circumvention of Standards for better market Surveillance**" che è finanziato dal programma UE di ricerca e innovazione di Horizon 2020. Gli obiettivi dichiarati sono quelli di **definire** e di **valutare** "la circonvenzione" in relazione alla legislazione UE sulla progettazione ecocompatibile (ECODESIGN) e sull'etichettatura energetica nonché in relazione alle relative norme armonizzate. Gli obiettivi del progetto ANTICSS comprendono la necessità di definire una chiara distinzione del fenomeno da altri elementi di non conformità affinché si possa ottenere un'informazione non ambigua sulle caratteristiche dei prodotti. I suoi obiettivi sono anche quello di raccogliere, analizzare e acquisire esperienza dai casi di circonvenzione che saranno studiati mediante ricerche documentali ed interviste specifiche agli stakeholders, nonché l'analisi della legislazione esistente in materia di ECODESIGN ed etichettatura energetica dell'UE e delle norme che potrebbero consentire possibili scappatoie. La potenziale relazione tra circonvenzione e prodotti "**SMART**" provvisti di specifico software è un'altra questione posta in primo piano dal progetto. Da questi lavori saranno tratte le opportune conclusioni su come individuare e prevenire meglio in futuro i casi di circonvenzione.

Per meglio comprendere come l'argomento è ormai d'attualità anche per il settore dell'illuminazione si evidenzia che il nuovo articolo 7 del Regolamento UE, votato positivamente lo scorso 17 dicembre dal Regulatory Committee della direttiva Ecodesign, introdurrà fin dalla data di entrata in vigore del regolamento stesso (si presume che ciò possa avvenire verso febbraio 2019) il divieto di immettere sul mercato UE prodotti che siano *progettati per essere in grado di rilevare che sono in fase di prova (ad esempio riconoscendo le condizioni di prova o il ciclo di prova) e di reagire in modo specifico alterando*

automaticamente le loro prestazioni durante la prova allo scopo di raggiungere un livello più favorevole per uno qualsiasi dei parametri dichiarati...

Estratto dal testo del nuovo regolamento UE Ecodesign:

Article 7

Circumvention

The manufacturer, importer or authorised representative shall not place on the market products designed to be able to detect they are being tested (e.g. by recognising the test conditions or test cycle), and to react specifically by automatically altering their performances during the test with the aim of reaching a more favourable level for any of the parameters declared by the manufacturer importer or authorised representative in the technical documentation or included in any of the documentation provided.

The energy consumption of the product and any of the other declared parameters shall not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update.

In ragione di quanto sopra, LightingEurope è entrata a far parte dell'Advisory Board del programma ANTICSS su invito dei responsabili del progetto (OEKO-INSTITUT E.V.).

Lo scorso 7 novembre il WG *LEDification* di LightingEurope ha chiesto al sottoscritto di accettare la nomina a membro del Board e di partecipare alle relative riunioni in rappresentanza di LightingEurope.

Milano, 20 dicembre 2018 – Fabio Pagano

ANTICSS – Advisory Board Meeting – NOTE DI RIUNIONE

Friday, 14 December 2018

List of participants: Randolph van Kasteren (Regent), Harbert Lang (BMDW), Stefan Thie (EPEE Global), Peter Dikiner (BMDW FN), Michal Zakrewsky (Applia), Gerhard Fuchs (CEN-CLC), Aline Maigret (ANEC/BEUC), Juraj Krivosik (SEVEN), Tim Stokes (SEA I), Nerea Ruiz Fuente (ECOS), Kathrin Graulich (OEKO), Thomas Bogner (AEA), Christian Prater (AEA), Benrd Schappi (AEA), Sonia Martin (FFII-LCOE), Christoph Turk (VDE), Stefano Ferrari (IMQ), Fabio Pagano (LightingEurope), Milena Presutto (ENEA)

ANTICSS – Detailed introduction to the project (<https://www.anti-circumvention.eu/about-project/project-introduction>):

The topic of manipulated testing results, or ‘circumvention’ is currently exposed to the highest attention of the public and media with regard to EU legislation (not only for the emission of cars ‘diesel-gate’).

The project ANTICSS – Anti-Circumvention of Standards for better market Surveillance has been funded by European Union’s Horizon 2020 research and innovation programme.

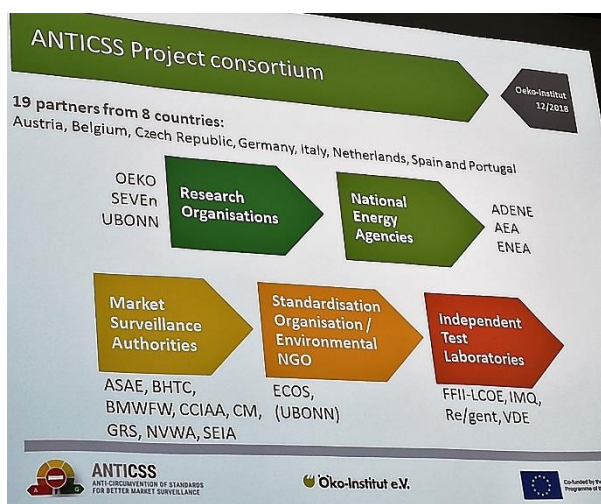
The intended Objectives are:

- To Assess and define “Circumvention” (CV) to achieve better positioning of products in media communications in relation to EU Ecodesign and Energy labelling legislation and their harmonised standards
- To reveal and being informed on Cases of Circumventions
- To ASSESS the impact: “if” and “how much”
- To Define alternative test procedures to avoid CV or to release a check lists to discover if a CV is possible to occur

Also,

- to avoid energy loss from non compliant products
- Enforcement of EU legislations
- Increase confidence through the chain (Supplier – consumers)

Several topics might facilitate CV and will be addressed by the project team: some examples are hidden software (defeat devices), (hidden) specific cycle/setting/configuration used only for testing for legislation compliance, smart appliances embedded software, etc...



Some infos on the Project Consortium:

19 partners from 8 countries;
 the expertise are from Research organizations, National Energy Agencies, Market surveillance authorities, Standardization and NGO, independent test laboratories.

The last meeting took place on yesterday (13/12); the project is coordinated from Oko-Institute. ENEA is the project leader of WP 6

The Management board consists of one representative of each party and the are also Work Package Leaders (WPL):

The MB shall consist of one representative of each Party being Work Package Leader (WPL), hereinafter „Management Board Member“

| Organisation | Main MBM | Deputy MBM |
|--------------|---|----------------------|
| OEKO | Kathrin Graulich (project coordinator) (support: Britta Stratmann) | Ina Rüdener |
| ENEA | Milena Presutto | Simonetta Fumagalli |
| AEA | Thomas Bogner | Christian Praher |
| FFII-LCOE | Sonia Martin | Rafael Guirado |
| SEVEn | Juraj Krivošik | Michal Staša |
| ECOS | Nerea Ruiz | Chris Spiliotopoulos |

Work Packages are 7:

- WP1 Project coordination & management (lead OEKO), to ensure timely completion and delivery of all projects goals
- WP2 Basic analysis of circumvention (lead OEKO): basic word of definition, analysis and interpretation of CV (separation of CV from other types of problems). Definition of Product scope groups.
- **WP3 Investigation of concrete CV cases (lead AEA):** Detailed preparation of CV cases (interviews are the base for collecting data); lab tests for cases of CV have been detected or high risk of CV cases are considered (note: no details on cases, e.g. on lighting, have been presented during the meeting even if I asked for)
- WP4 Lab testing (lead FFII-LCOE), to analyse and confirm CV for selected product groups. Lab tests will show the impact to Energy consumption and to performances. APPLIA asks for being consulted at proper time of activity of WP4 to be aligned on the test procedures according to standards. Also budgeting for Uncertainties in test for this project is important for the quality of test results.
- WP5 (Lead ECOS) Capacity building for key actors in MS: support and facilitate detection and removal for CV. To improve Communications and co-operations between MSAs, Test labs and industry.
- WP6 (Lead ENEA) Recommendations for key target groups: for EU, NAT policy makers and STD bodies. Recommendation also to support WP5 outcomes
- WP7 (LEAD SEVEN) Dissemination and communications: tools experiences results to all target groups, by events, conference (2021), etc..

ADV Board members:

Organisation

AppliA
 Lighting Europe
 EPEE Global
 CEN-CENELEC ED coordination group
 Irish Energy Agency
 ANEC/BEUC
 NL Enterprise Agency of NL ministry of Economic affairs

Participant

Michal Zakrzewski
 Fabio Pagano
 Stefan Thie
 Martial Patra
 Tim Stokes
 Aline Maignet
 Hans-Paul Siderius

ADV Board targets:

- Valuable feedbacks to develop the project
- Provide expertise to the project
- Serve as dissemination network

Next meeting would be 24 May 2019 in Lisbon but at least 3 members cannot attend so a doodle will be made.

Some documents of the ADV Board are confidential so that should not be circulated outside, but some documents should be spread around especially if we have to consult our members to provide inputs from our organization (and not only personal opinions)

Internal Web space for sharing docs (personal and password protected): <https://oeko-teamwork.de/ANTICSS/AdvisoryBoard>

Presentation and discussion

- Draft definition of circumvention: task 2.2 (University of Bonn), literatures and questionnaires (avoiding the term CV replaced by “Suspected behaviour”): 5 section for the questionnaires: General infos of respondent, tech infos (which products are affected), Action taken after identifications of “suspected behaviour”,

Cases study (24 cases) examples:

- Holiday mode in Refrigerators (case 4), when door is not opened for a long time
- Automatic brightness adjusting in televisions (case 13), analysing the programs. This mode is activated automatically by manufacturer
- Vacuum cleaners (Case 23), sound level must be specified

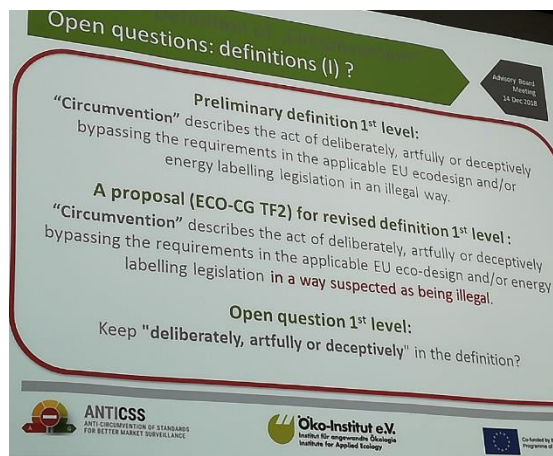
CV in appliance testing can be related to

- Manufactures
- Legislation
- Standards
- Both, legislation and standard

Project proposal definition:

To around or bypass, To avoid by artfulness or deceptively bypass the requirements in the applicable EU ecodesign and EEL legislation in an illegal way

A proposal (ECO-CG TF2) for revised definition :



Consequences for the proposed definitions → a product which comply standard requirements would not be compliant in real operation (e.g. diesel gate)

The conclusion of the team is that it is useful to reach in having a single definition of CV to clearly distinguish this from other effect and to develop "indicators of CV" that can be used in verification of compliance

► **Proposed definition by H-P. S. (related to EL regulation):**
 Circumvention is the act of designing a product so that a model's performance is automatically altered in test conditions with the objective of reaching a more favorable level for any of the parameters specified in the relevant delegated act or included in any of the documentation provided for the product.

This proposal is still a draft because they are gathering furthers inputs

Gerard Fuchs (CEN-CLC) draw the attention on standards that are commonly a reference for the pre-sumption of conformity, but now the draft definition is giving a suspect of possible illegality even when a product comply with the standard, so it would be necessary to find a suitable wording to avoid the role of standards would be undermined.

APPLIA wish that any definition it would be as much as possible aligned with existing def from EL regulation (art. 3.5)

Example for a filament lamp should be provided in a written form (action FP)

Ref.: https://en.wikipedia.org/wiki/Incandescent_light_bulb

Task 2.4 Analysys of the relation between CV and smart functionalities of appliances: detect smart features which can lead to have CV

- Draft scope of ANTI-CSS – product groups to be included

The high priority of product categories are:

Task 2.1 – Evaluation: high priority

Advisory Board Meeting 14 Dec 2018

| Rank | Points | Lot abbr. | Product group |
|------|--------|---------------|--|
| 1 | 100 | ENER 8, 9, 19 | Light sources: a) Office / Street lighting b) Domestic lighting part I non-directional lamps c) Domestic lighting part II directional lamps |
| 2 | 92 | ENER 5 | Consumer Electronics: TV |
| 3 | 92 | ENER 13 | Domestic refrigerators and freezers |
| 4 | 80 | ENER 1 | Boilers and combiboilers/"space heaters and combination heaters" |
| 5 | 76 | ENER 10 | Room air conditioning / comfort fans |
| 6 | 76 | ENER 11 | Electric motors |
| 7 | 68 | ENER 20 | a) Local space heaters (LSH) b) Solid fuel local space heaters (SFLSP) |
| 8 | 68 | ENER 14 | Domestic dishwashers |
| 9 | 68 | ENER 16 | Household tumble driers |

Ref. 2a_ANTICSS_WP2_Scope_Report_20181129.pdf, page 22:

1. 5 Results

2. 5.1 Ranking of product groups

3. The following table shows the result of the application of the exclusion criteria and of the evaluation of the remaining product groups through the selection criteria as described in the previous chapter.

Table 5-1: ANTICSS Ranking of product groups

| Rank | Points | Lot abbr. | Product group |
|------|--------|---------------|---|
| 1 | 100 | ENER 8, 9, 19 | Light sources: a) Office / Street lighting b) Domestic lighting part I non-directional lamps c) Domestic lighting part II directional lamps |

I Requested for clarification on how this ranking have been made and where cases of CV for lamps have been reported. No clear answer from the chairperson

APPLIA states that they consider the ranking provided with the table as a fair outcome.

WP3 PRESENTATION (Thomas Bogner): the 10 categories will be well identified by end of June 2019.

I left the meeting at 14.30 so I missed the last part.

Upcoming Tasks: Interviews with MSA, Industry and Consumers

Advisory Board: Mode of operation and further proceedings

End of Meeting

Wien, 14 Dec 2018 – Fabio Pagano