

Amendment to Legal Inspection Requirements for Self-ballasted LED Lamps

By the Bureau of Standards, Metrology and Inspection (BSMI), Ministry of Economic Affairs (M.O.E.A.)

Introduction:

Self-ballasted LED lamps have been subject to mandatory inspection under the Commodity Inspection Act by the Bureau of Standards Metrology and Inspection (BSMI) since 1 July 2014. To enhance consumer protection and promote efficiency of energy use, the BSMI adopts the latest version of inspection standards for these products.

The conformity assessment procedures for products subject to this notified measure remain the same, i.e. Registration of Products Certification (RPC) or Type-approved Batch Inspection (TABI).

Date of implementation: 1 January 2021

Description of Goods	Inspection Standards	C.C.C. Code (the first 6 digits are the same as HS Code)(Reference)
self-ballasted LED lamps (Inspection scope: those are single phase, not exceeding 300V, exceeding 50V,including CRI above 95)	1. CNS 15436 (2012)	8539.10.00.00.2
	2. CNS 15630 (2019)	8539.49.20.00.3
	3. CNS 14115 (2016)	8539.50.00.00.3
	4. CNS 15663 (2013) Section 5 “Marking of Presence”	

Description of the two kinds of conformity assessment procedures

1. Registration of Product Certification (RPC) Scheme : Modules II + III

Under the II+III combination of modules used in this scheme, domestic manufacturers or importers must have their products type-tested in advance (Module II) by the BSMI or BSMI-recognized testing laboratories before applying for registration of their products. Manufacturers or importers will also be required to ensure by declaration (Module III, conformity-to-type declaration) that all products made at their manufacturing facilities or imported are in conformity with the prototypes submitted for type-test at Module II stage. The conformity-to-type declaration shall be drawn up by the manufacturer or the authorized local representative, declaring that the mass-produced products comply with the prototype as in the type-test report.

After being certified and registered by the BSMI, products will be allowed to use the Commodity Inspection Mark with the letter ‘R’ and the identification number given by the BSMI. Additionally, these products can clear customs directly without any further inspection if not being sampled by RPC border check procedures. The application fee and annual fee for RPC are both NT\$5,000 (about US\$170) for each certification, and the RPC certification is valid for 3 years. If there are any serial products, an extra NT\$3,000 (about US\$100) of application fee will be charged for every application in each certification. The fees for type testing vary by products and depend on the fee policies of the testing laboratories.

2. Type-approved Batch Inspection (TABI) Scheme

Under this procedure, manufacturers or importers shall have their products

type-tested by the BSMI or the designated testing laboratories recognized by the BSMI, and file an application for Type Approval to the BSMI or its branches.

After manufacturers or importers obtain a type approval certificate, they are required to file an application for batch inspection to the BSMI each time before their products are released from the production premises or arrive at the port of entry. The BSMI will then review the application and the related documents while additional samples may be required for further testing if it is deemed necessary.

After the products have passed the inspection, they will be allowed to use the Commodity Inspection Mark with the letter 'T' and the identification number given by the BSMI. The application fee for a Type Approval is NT\$3,500, and a Type Approval certificate is valid for 3 years. The fees for type testing vary by products and depend on the fee policies of the testing laboratories.

*Further information on the two schemes can also be found on the BSMI web site:
<http://www.bsmi.gov.tw/wSite/ct?xItem=8673&ctNode=811&mp=2>

Locations to apply for Registration of Product Certification:

The BSMI or its branches.

Time required for Registration of Product Certification:

14 working days. (This period does not include the time for corrective actions by the applicant due to deficiencies in the documents or samples. Extra 7 working days may be required for additional tests.)

Related requirements:

1. The revised inspection standards of the commodities listed above will come into force on the date of announcement and the current inspection standards will become invalid from 1 January 2021. The import and domestic production inspections for CRI above 95 from the listed products compared with the former announcement (new inspection products) will be carried out on the 1 January 2021.

2. Processing of applications:

(1) Replacement:

Before 31 December 2020, the certificate holders shall comply with Amendment of the Minimum Energy Performance Standard and Inspection for the commodities. The expiration date of the original certificates remain the same. Certificates that are not complied from 1 January 2021 will be rescinded based on Paragraph 1, Article 16 of the "Regulations Governing Type Approval of Commodities" or Paragraph 9, Article 42 of the "Commodity Inspection Act."

(2) New application or Extension:

1. From the date of publication, applicants shall prepare Type-Test report in accordance with the revised or the original inspection standards, documents related to the location of the marking of presence, sample of the marking of presence (see Table 1 and Table 2), "Declaration of the Presence Condition of the Restricted Substances Marking" and comply with Amendment of the Minimum Energy Performance Standard and Inspection for the commodities to apply for certificate(s). The validity period of a new certificate will be 3 years from the date of issuance while an extended one lasts 3 years since the next day of the previous expiration date. If applicants apply for certificate(s) which not comply with Amendment of the Minimum Energy Performance Standard and Inspection for the commodities, the expiry date of the certificate will be only valid till 31 December 2020. From 1 January 2021, applicants shall file a new application or extension

only in accordance with the revised inspection standards.

2. For new inspection products, applicants shall prepare Type-Test report in accordance with the revised inspection standards, documents related to the location of the marking of presence, sample of the marking of presence (see Table 1 and Table 2), and the “Declaration of the Presence Condition of the Restricted Substances Marking” to apply for certificate(s). The application for a new certificate before 1 January 2021 will be valid from 1 January 2021 to 31 December 2023. After 1 January 2021, the validity period will be 3 years from the date of issuance.
3. The certificate holders of the commodities shall follow the content stipulated in Section 5 “Marking of presence” of CNS 15663 and clearly mark “the presence condition of the restricted substances” on the body, packages, stickers, or the instruction books of the commodities. Those who utilize website as a means to announce “the presence condition of the restricted substances” of the commodities shall also clearly mark the website address on the body, packages, stickers, or the instruction books of the commodities. In that case, the requirements of Section 5.3 of CNS 15663 are not applicable to the positions of the markings.
4. The Commodity Inspection Mark:
 - (1) The Commodity Inspection Mark shall be printed by the certificate holders. The identification number of the Commodity Inspection Mark consists of “A Letter (R or T),” “Designated Code (5 digits)” and “the presence conditions of the restricted substance” (e.g., RoHS or RoHS(XX,XX)).
 - (2) The identification number shall be placed below or right next to the graphic symbol and “the presence conditions of the restricted substance” shall be indicated in the second row.
 - (3) The size of the Mark can be applied proportionally on a prominent location of the commodities. The Mark shall use materials that are not easily altered, and the content shall be in a clearly identifiable and indelible form affixed permanently to the commodity.
 - (4) For RPC scheme, the examples of the Commodity Inspection Mark are listed below:



- (5) For TABI scheme, the examples of the Commodity Inspection Mark are listed below:



- (6) “RoHS” indicates “the content of restricted substance(s), other than exemptions stated in CNS 15663, does not exceed the reference percentage value of presence condition.
“RoHS(XX,XX)” indicates the content of restricted substance(s) (element XX, element XX, ...), other than exemptions stated in CNS 15663, exceeds the reference percentage

value of presence condition.

Restricted substances: Pb, Cd, Hg, Cr⁺⁶, PBB, and PBDE.

Examples:

- RoHS (Pb) indicates that the percentage content of Pb in certain parts of the commodity exceeds the reference percentage value specified in Annex A to CNS 15663.
 - RoHS (Cd, Cr⁺⁶, PBB) indicates that the percentage content of Cd, Cr⁺⁶, and PBB in certain parts of the commodity exceeds the respective reference percentage value specified in Annex A to CNS 15663.
5. The Commodity Inspection Mark can be printed by the certificate holders of the new inspection products from the date of issuance.
 6. The C.C.C. Code listed in the table is used for reference only. The commodity listed in the table shall still complete the inspection procedures before entering into the market even though their C.C.C. Code is identified differently by the Customs Administration, Ministry of Finance or Bureau of Foreign Trade, Ministry of Economic Affairs.
 7. The import regulation code of the commodity is assigned as C02.
 8. The applicable modules for conformity assessment procedure of RPC Scheme are in accordance with the requirements set forth in paragraph 3 of the Regulations Governing Registration of Product Certification.
 9. The application for type test shall be submitted to the BSMI or Designated Testing Laboratories recognized by the BSMI.
 10. The application for type approval or RPC certificate or the batch inspection shall be submitted to the BSMI or its branches.
 11. The batch inspection application shall be submitted to the BSMI or its branches.
 12. The inspection standards of the products listed in the table shall be the version published in this announcement. If any updated version is available, the BSMI shall publish the implementation date of the updated version in further announcement.
 13. The technical documents required for type test shall be prescribed by the BSMI.
 14. The relevant statutory fees for the product listed in the Table shall be charged in accordance with the latest version of “Regulations Governing Fees for Commodity Inspection”.
 15. The fees for type test shall be collected according to the fee schedule of the testing laboratories respectively.
 16. Commodities with combined features or multifunctional products shall comply with the respective inspection standards and conformity assessment procedures of RPC scheme.

Table 1. Example of markings for the presence conditions of the restricted substances exceeds the reference percentage value of presence conditions

Equipment name: LED lamps, Model : XXX(*)						
Unit	Restricted substances and its chemical symbols					
	Lead (Pb)	Mercury (Hg)	Cadmium (Cd)	Hexavalent Chromium (Cr ⁺⁶)	Polybrominated Biphenyls (PBB)	Polybrominated Diphenyl Ethers (PBDE)
Cap	Exceeding 0.1 wt %	○	○	○	○	○
Lampshade	○	○	○	○	○	○
LED Die	○	○	Exceeding 0.1 wt %	○	○	○
Driver	○	○	○	○	○	○
<p>Note 1: “Exceeding 0.1 wt %” and “exceeding 0.01 wt %” indicate that the percentage content of the restricted substance exceeds the reference percentage value.</p> <p>Note 2: “○” indicates that the percentage content of the restricted substance does not exceed the reference percentage value.</p> <p>Note 3: The “-” indicates that the restricted substance is exempted.</p>						

Table 2. Example of markings for the content of the restricted substances other than exemption do not exceed the reference percentage value of presence condition

Equipment name: LED lamps, Model : YYY(*)						
Unit	Restricted substances and its chemical symbols					
	Lead (Pb)	Mercury (Hg)	Cadmium (Cd)	Hexavalent chromium (Cr ⁺⁶)	Polybrominated biphenyls (PBB)	Polybrominated diphenyl ethers (PBDE)
Cap	○	○	○	○	○	○
Lampshade	○	○	○	○	○	○
LED Die	○	○	-	○	○	○
Driver	○	○	○	○	○	○
<p>Note 1: “○” indicates that the percentage content of restricted substance does not exceed the reference percentage value.</p> <p>Note 2: The “-” indicates that the restricted substance is exempted.</p>						

(*) The “name and model” can be omitted if the position of the “markings for the presence conditions” clearly identifies the corresponding commodity. Multiple types could be shown together if the “markings for the presence conditions” are applicable.