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Commission Notice
Guidance for the interpretation of the Common Charger Directive

(Text with EEA relevance)

(C/2024/2997)

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Abbreviations and terms

In the context of this document the abbreviation or term:

- ‘Common Charger Directive’ refers to Directive (EU) 2022/2380 ⁽¹⁾;
- ‘RED’ refers to Directive 2014/53/EU ⁽²⁾ on Radio Equipment
- ‘Annex Ia’ refers to Annex Ia of the RED, which was introduced to the RED by the Common Charger Directive as amended by Commission Delegated Regulation (EU) 2023/1717 ⁽³⁾.
- ‘obligations introduced to the RED by the Common Charger Directive’, ‘rules introduced to the RED by the Common Charger Directive’, ‘provisions introduced to the RED by the Common Charger Directive’ or ‘modifications introduced to the RED by the Common Charger Directive’ are to be understood as obligations, rules, provisions or modifications introduced by the Common Charger Directive to the RED, as amended by Commission Delegated Regulation (EU) 2023/1717.
- ‘radio equipment subject to the ‘common charger’ rules’ refers to radio equipment that: (a) falls within the categories or classes of radio equipment, listed in Part I of Annex Ia; (b) is equipped with a removable or embedded rechargeable battery; and (c) can be recharged via wired charging.
- The ‘common charging solution’ or the ‘harmonised charging solution’ refers to the harmonised charging receptacle (USB-C) and the harmonised charging technology (USB-C power supply options up to 15 W and USB PD above 15 W).

Important statement

The purpose of this document is to provide guidance, first in the form of a summary and then in the form of questions and answers, on the new provisions introduced by the Common Charger Directive, amending the RED, contributing to a better understanding of those provisions and to their more uniform and coherent application.

This document is addressed to the Member States and others who need to be informed of those provisions (e.g. trade and consumer associations, standardisation bodies, manufacturers, importers, distributors, conformity assessment bodies and trade unions). It is based on consultation of the interested parties. It does not however necessarily fully represent the views of all the stakeholders concerned.

This document is not legally binding. It is intended purely as a guidance document – only the texts of the Union acts quoted in this document have legally binding effect. Some of the provisions of Union acts might not be fully or exactly described in a guidance document.

The binding interpretation of Union legislation is the exclusive competence of the Court of Justice of the European Union (CJEU). Thus, this document is without prejudice to the interpretation provided by the CJEU on the same provisions. The views expressed in this document cannot prejudice the position that the European Commission might take before the Court of Justice. Neither the Commission nor any person acting on behalf of the Commission is responsible for the use which might be made of the following information.

This document reflects the legislation at the time of the drafting of this document and the guidance offered may be subject to later modification.

⁽¹⁾ Directive (EU) 2022/2380 of the European Parliament and of the Council of 23 November 2022 amending Directive 2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment (OJ L 315, 7.12.2022, p.30, ELI: <http://data.europa.eu/eli/dir/2022/2380/oj>).

⁽²⁾ Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (OJ L 153, 22.5.2014, p.62, ELI: <http://data.europa.eu/eli/dir/2014/53/oj>).

⁽³⁾ Commission Delegated Regulation (EU) 2023/1717 of 27 June 2023 amending Directive 2014/53/EU of the European Parliament and of the Council as regards the technical specifications for the charging receptacle and charging communication protocol for all the categories or classes of radio equipment capable of being recharged by means of wired charging (OJ L 223, 11.9.2023, p. 1, ELI: http://data.europa.eu/eli/reg_del/2023/1717/oj).

Finally, attention is drawn to the fact that the present document is not necessarily comprehensive and complete. Only certain issues have been included when it was considered desirable to provide explanations and it provides clarifications only on the provisions of the RED introduced by the Common Charger Directive.

Introduction and summary

Introduction

The purpose of this document is to give guidance, subject to the preceding important statement, on certain matters and procedures covered by the Common Charger Directive, amending the RED.

The rules introduced to the RED by the Common Charger Directive are applicable to specific categories of radio equipment that are listed in Part I of Annex Ia.

This document brings together information stemming from exchanges of information with the relevant national authorities and stakeholders, following the adoption of the Common Charger Directive (notably, consultation of the members of the Commission's Expert Group on Radio Equipment ⁽⁴⁾).

The Common Charger Directive entered into force on 28 December 2022 and enters into application as of the dates specified in its Article 2 (further details are provided in section Scope and applicability). At the time of the adoption of this document, Annex Ia was amended once, on 27 June 2023, by Commission Delegated Regulation (EU) 2023/1717. This delegated regulation updated the references to the technical specifications for wired charging of Annex Ia.

This document focuses only on the rules of the RED introduced by the Common Charger Directive. It is not intended to explain other rules of the RED, the rules of the New Legislative Framework (the NLF) or the relevant guidance documents, the 'RED Guide' ⁽⁵⁾ and the 'Blue Guide' ⁽⁶⁾.

The present document, therefore, is a supplement to the RED Guide and should, where necessary, be read in conjunction with the Blue Guide and the RED Guide. Radio equipment covered by the RED only benefits from the free circulation in the EU market if the product complies with all the applicable Union legislation which is not necessarily mentioned in this document.

Summary of the new provisions

Scope and applicability

The rules of the Common Charger Directive will be applicable for handheld mobile phones, tablets, digital cameras, headphones, headsets, handheld videogame consoles, portable speakers, e-readers, keyboards, mice, portable navigation systems and earbuds, as of 28 December 2024. These rules will be applicable for laptops as of 28 April 2026.

These categories of radio equipment are listed in Annex Ia and the rules introduced to the RED by the Common Charger Directive apply to them, as of the dates indicated above, if the radio equipment concerned is capable of being recharged by means of wired charging.

Harmonised charging receptacle

The RED requires the categories of radio equipment subject to the 'common charger' rules to be equipped with the harmonised charging receptacle (the USB-C receptacle). The use of other receptacle is not prohibited as long as the covered radio devices are also equipped with the USB-C receptacle as described in standard EN IEC 62680-1-3 (as referenced in Annex Ia). The standard also specifies the different USB power supply options available from the perspective of a radio equipment with a USB-C receptacle.

⁽⁴⁾ Commission expert group on Radio Equipment - E03587

⁽⁵⁾ Guide to the Radio Equipment Directive 2014/53/EU Version of 19 December 2018 - <https://ec.europa.eu/docsroom/documents/33162>

⁽⁶⁾ Commission Notice, the 'Blue Guide' on the implementation of EU product rules 2022 (OJ C 247, 29.6.2022, p. 1).

The provision on harmonised charging receptacle was introduced by the Common Charger Directive as a new essential requirement in Article 3(4) of the RED. The conformity assessment procedure for that requirement is set out in Article 17(2) of the RED ⁽⁷⁾.

Harmonised charging technology

For 'standard' charging, the radio equipment listed in Part I of Annex Ia, if it can be recharged by means of wired charging at voltages up to 5 volts, currents up to 3 amperes or powers up to 15 watts, must incorporate the USB power supply options specified in standard EN IEC 62680-1-3 (as referenced in Annex Ia).

For 'fast' charging, the radio equipment listed in Part I of Annex Ia, if it can be recharged by means of wired charging at voltages higher than 5 volts, currents higher than 3 amperes or powers higher than 15 watts, must: (a) incorporate the USB Power Delivery (USB PD), as described in the standard EN IEC 62680-1-2 (as referenced in Annex Ia); and (b) allow for the full functionality of the said USB PD if it incorporates any additional charging protocol.

This requirement was introduced by the Common Charger Directive as a new essential requirement in Article 3(4) of the RED. The conformity assessment procedure for that requirement is set out in Article 17 (2) of the RED ⁽⁸⁾.

Unbundling the sale of the charging device from the sale of the electronic device

When an economic operator offers consumers and other end-users the option to acquire the covered radio equipment together with a charging device (external power supply), the economic operator must also offer the consumers and other end-users the option of acquiring this radio equipment without any charging device.

Consumers will thus be able to purchase a new electronic device without a new charging device.

Improved information for end-users/consumers

Economic operators must ensure that the information on whether or not a charging device is included with the covered radio equipment is displayed in a graphic form using a user-friendly and easily accessible pictogram ⁽⁹⁾. Both pictogram versions can be found in high resolution at:

— https://single-market-economy.ec.europa.eu/sites/default/files/2023-01/Pictogram_Not_Included_final_nodim.png;
and

— https://single-market-economy.ec.europa.eu/sites/default/files/2023-01/Pictogram_Included_final_nodim.png.

⁽⁷⁾ The manufacturer can choose from any of the following conformity assessment procedures: (a) internal production control set out in Annex II of the RED; (b) EU-type examination that is followed by the conformity to type based on internal production control set out in Annex III of the RED; (c) conformity based on full quality assurance set out in Annex IV of the RED.

⁽⁸⁾ The manufacturer can choose from any of the following conformity assessment procedures: (a) internal production control set out in Annex II of the RED; (b) EU-type examination that is followed by the conformity to type based on internal production control set out in Annex III of the RED; (c) conformity based on full quality assurance set out in Annex IV of the RED.

⁽⁹⁾ The pictogram should be printed on the packaging or affixed to the packaging as a sticker. When the radio equipment is made available to consumers and other end-users, the pictogram should be displayed in a visible and legible manner and, in the case of distance selling, close to the price indication.

In addition, information on specifications relating to charging capabilities and the compatible charging devices must be available in the instructions accompanying the radio equipment ⁽¹⁰⁾. This information must include information on the power that the device requires; and whether it supports the harmonised fast charging. This information must also be displayed in a graphic form using a user-friendly and easily accessible label ⁽¹¹⁾. The template of the label can be found in high resolution at:

— https://single-market-economy.ec.europa.eu/sites/default/files/2023-01/Label_final_nodim.png.

This will help consumers to know if their current charging device meets their new device's specifications and/or help them to select a compatible charging device.

Scope

1. Does the RED define the 'Common Charger'?

The RED does not, per se, define the 'Common Charger'. It provides requirements for the harmonisation of wired charging for certain categories or classes of radio equipment. By requiring such equipment to be chargeable by harmonised chargers, it indirectly requires also the chargers to be interoperable.

Complementary requirements, in the domain of 'common charger', are planned to be introduced under another legislative act (i.e., Regulation 2019/1782 laying down Ecodesign Requirements for the External Power Supplies). The reviewed version of this regulation ⁽¹²⁾ is anticipated to enter into force early 2025. The main options put forward are to:

- Inform consumers by marking the 'common chargers' with a corresponding logo and pictogram;
- Prevent non-compliant proprietary chargers being sold with RED devices;
- Scale up the benefits of interoperability by extending the scope of 'common chargers' to equipment other than the RED devices.

2. Do the obligations introduced to the RED by the Common Charger Directive apply to all electronic devices in the categories or classes listed in Part I of Annex Ia?

The obligations introduced to the RED by the Common Charger Directive apply only to radio equipment which is subject to the 'common charger' rules. Radio equipment is defined in Article 2(1) of the RED. According to that provision, 'radio equipment' means an electrical or electronic product, which intentionally emits and/or receives radio waves for the purpose of radio communication and/or radiodetermination, or an electrical or electronic product which must be completed with an accessory, such as antenna, so as to intentionally emit and/or receive radio waves for the purpose of radio communication and/or radiodetermination. The terms 'radio waves', 'radio communication' and 'radiodetermination' are also defined in Article 2 of the RED.

3. Is radio equipment that belongs to a category or class of radio equipment listed in Annex Ia and that charges through a charging case, box or station excluded to incorporate the harmonised charging solution?

No. All radio equipment belonging to a category or class of radio equipment listed in Part I of Annex Ia that can be recharged by means of wired charging must incorporate the harmonised charging solution. However, as clarified by recital 14 of the Common Charger Directive, only earbuds are to be considered together with their charging case or box:

⁽¹⁰⁾ Such information should be included in the instructions which should be in printed-paper form. Such information may be made available, in addition, by means of QR codes or similar electronic solutions.

⁽¹¹⁾ Such label should be: (a) printed in the instructions; and (b) printed on the packaging or affixed to the packaging as a sticker. In the absence of packaging, the sticker with the label should be affixed to the radio equipment. When the radio equipment is made available to consumers and other end-users, the label should be displayed in a visible and legible manner and, in the case of distance selling, close to the price indication. If the size or nature of the radio equipment does not allow otherwise, the label may be printed as a separate document accompanying the radio equipment.

⁽¹²⁾ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13351-External-power-supplies-ecodesign-information-requirements-review_en

‘As regards earbuds, the radio equipment concerned is considered together with its dedicated charging case or box, given that earbuds are rarely or never dissociated from their charging case or box due to their specific size and shape. The charging case or box for that specific type of radio equipment is not considered part of the charging device.’

4. Do the rules introduced by the Common Charger Directive to the RED only apply to rechargeable equipment?

Yes. The ‘common charger’ rules apply to radio equipment that: (a) falls within the categories or classes of radio equipment, listed in Part I of Annex Ia; (b) is equipped with a removable or embedded rechargeable battery; and (c) can be recharged via wired charging.

5. Is radio equipment with non-rechargeable batteries (‘AA-type’) covered by the provisions introduced by the Common Charger Directive to the RED?

No. See the answer to question 4.

6. Is radio equipment with a removable battery that can only be recharged separately from the radio equipment (in a battery charger) covered by the provisions introduced by the Common Charger Directive to the RED?

No. Such radio equipment does not fall under the definition of a ‘radio equipment capable of being recharged via wired charging’. Such a product is ‘similar’ to a product which is powered by non-rechargeable batteries (‘AA-type’). Such a product is not subject to the rules of the RED introduced by the Common Charger Directive if it has a receptacle that is used only to feed power. In other words, it is not subject to those rules, if that receptacle cannot be used to (re)charge the radio equipment.

However, if the removable battery can be recharged (via the USB-C receptacle) while it is placed in or on a radio equipment listed in Annex Ia, that radio equipment is subject to the rules introduced by the Common Charger Directive even if the battery can also be recharged separately from the radio equipment.

7. Are devices with limited battery capacity covered by the provisions introduced by the Common Charger Directive to the RED?

Yes. The rules introduced by the Common Charger Directive to the RED target radio equipment with a removable or embedded rechargeable battery (see recital 14 of the Common Charger Directive) that (a) can be recharged via wired charging; and (b) is listed in Part I of Annex Ia. The presence of a battery makes it a rechargeable device and the battery’s capacity is irrelevant (even if it is for 1 hour only). Indeed, it is also common for users of such radio equipment to turn on their device in other places that are not close to a charger (e.g. in the case of portable navigation systems to check routes, perform updates, etc.).

8. Are supercapacitors considered as batteries?

No. Supercapacitors are not batteries. Supercapacitors are suited for applications with numerous very quick charging and discharging cycles, which is not the case for the radio equipment listed in Part I of Annex Ia.

9. What is the definition of portable?

All devices within the categories or classes of radio equipment listed in Part I of Annex Ia, with a removable or embedded rechargeable battery capable of being recharged by means of wired charging, that can be carried before, during or after operation are covered. For that purpose, certain categories or classes of radio equipment listed in Part I of Annex Ia use the words ‘portable’ or ‘handheld’.

10. Is radio equipment incorporating an internal power supply covered by the provisions introduced by Common Charger Directive to the RED?

No. The RED refers specifically, in Article 3(4) and in Annex Ia, to interoperability between radio equipment and its charging devices. In that respect, recital 2 of the Common Charger Directive clarifies that: “[...] *charging devices* [...] *are the external power supply part of chargers* [...]”. Therefore, radio equipment that incorporates internal power supplies and is powered directly with alternative current (AC) from the mains, is not therefore covered by the provisions introduced to the RED by the Common Charger Directive.

11. How can a manufacturer be sure that his product falls within one of the categories or classes of radio equipment covered Annex Ia? Is the product category defined by the primary use case of the radio equipment?

Section 2.8 of the Blue Guide states that Union legislation applies in the case products made available or put into service on the market are used for their intended use. In the very same section, there are also clarifications on the term 'intended use' and how market surveillance authorities are required to consider the use of the product in order to check its conformity.

Hence, for the purposes of determining whether a product belongs to a class or category of radio equipment listed in Annex Ia, the above elements of the Blue Guide should be taken into account. Since manufacturers provide information on the use of a product, evidently, such information must reflect accurately and correctly the purpose and use of the product.

However, the primary intended use of a product is of relevance to determine the exact category or class to which a product belongs, for the purposes of Annex Ia, if that product has ancillary uses (functions).

For example, a smartphone which incorporates a digital camera falls under the category "1.1 handheld mobile phones" and not under the category "1.3 digital cameras". Its primary use is to be used as smartphone (as smartphone, it is subject to the rules introduced by the Common Charger Directive which apply as of 28 December 2024).

In addition, for the purposes of determining if a product belongs to a class or category listed in Annex Ia, the intended use of a product should not be confused with the marketing of a product for particular purposes (example products for medical purposes) or particular categories of consumers (example toys),

For example, a smartphone, which has a toy appealing design and so is intended only for children, falls under the category "1.1 handheld mobile phones" and therefore, the categorisation is not affected by the fact that the smartphone in question is intended only for children.

However, the Commission recognises that in some cases it might be difficult to determine whether a product falls within a particular category listed in Part I of Annex Ia. In such cases, the assessment of whether a particular product falls within a particular category listed in Part I of Annex Ia must be based on concrete factual elements. Since the application of the rules introduced by the Common Charger Directive will take place at national level by the Member States' market surveillance authorities, in case of doubts as to the categorisation of their products, economic operators should contact their market surveillance authorities for guidance.

12. Is a device belonging to one of the categories or classes of radio equipment covered by Annex Ia concerned by the provisions introduced to the RED by the Common Charger Directive when it is a part of a system consisting of multiple radio equipment and other equipment working together which is not listed in Part I of Annex Ia, ?

In cases where a specific radio equipment, which is part of a system, is solely intended to operate within that system and cannot function on its own, the whole system should be considered as a category or a class of radio equipment on its own. That system would therefore need to apply the provisions of the RED introduced by the Common Charger Directive only if it is subject to the 'common charger' rules.

13. Are certain specific products that are designed only for commercial/industrial use only, exempted from applying the provisions introduced to the RED by the Common Charger Directive?

No. There is not such exemption provided in the RED. However, recital 14 of the Common Charger Directive does clarify some aspects for certain classes or categories of radio equipment concerned by the 'common charger' rules.

According to recital 14, *'digital cameras designed exclusively for the audio-visual sector or the security and surveillance sector should not be required to integrate the harmonised charging solution'*.

14. Does radio equipment falling under other legislations have to comply with the provisions introduced to the RED by the Common Charger Directive?

Yes. A device that falls under another legislation must comply with the obligations introduced to the RED by the Common Charger Directive and must integrate the common charging solution, if it(a) is covered by the definition of a radio equipment of the RED; (b) does not fall into any of the categories excluded from the scope as indicated in Article 1 of that Directive; (c) falls within the categories or classes of radio equipment listed in Part I of Annex Ia; (d) is equipped with a removable or embedded rechargeable battery; and (e) can be recharged via wired charging.

15. Can radio equipment that can only be recharged via wireless charging be made available on the market without incorporating the harmonised charging solution?

Yes. Since, such radio equipment cannot be recharged via wired charging, it does not need to incorporate the harmonised (wired) charging solution.

Regarding wireless charging, the Commission will promote the harmonisation of wireless charging in order to avoid future fragmentation of the internal market and any negative effects on consumer and the environment. The Commission will monitor the evolution of all types of wireless charging technologies (not only inductive), particularly market developments, market penetration, market fragmentation, technological performance, interoperability, energy efficiency and charging performance.

As stated in recital 13 of the Common Charger Directive, *'the Commission should take action towards promoting and harmonising such solutions to avoid future fragmentation of the internal market'*.

16. Are laptops and other radio equipment that require more than 240 W of charging power exempted from the 'common charger' rules?

No. They are not exempted. Radio equipment which is subject to the 'common charger' rules must incorporate the harmonised charging solution.

The Commission has updated (in Commission Delegated Regulation (EU) 2023/1717), the references to the standards cited in Annex Ia to the latest version of the European standards. Therefore, due to the amendments introduced by this delegated regulation, radio equipment subject to the 'common charger' rules must incorporate the harmonised charging solution up to their maximum charging power or up to 240W if their maximum charging power is above 240W (as opposed to 100W in the previous versions of the standards concerned).

The Commission will continue to update the technical specifications set out in Annex Ia, in order to reflect scientific and technological progress or market developments provided that such developments meet the objectives of the common charging solution.

17. Must radio equipment incorporate USB PD if, during the charging process, the charging voltage, current or power slightly exceed the thresholds (>5 V, >3 A or >15 W) that require the integration of USB PD only for short time periods?

No. If the rated voltage is lower than or equal to 5 V, or the rated current is lower than or equal to 3 A, or the rated power is lower than or equal to 15 W, then the radio equipment in question does not need to incorporate USB PD and must apply the USB power supply options specified within the USB-C standard (EN IEC 62680-1-3, as referenced in Annex Ia).

18. Is radio equipment that does not 'use alternating current (AC) from electrical outlets to charge' covered by the new rules of the RED introduced by the Common Charger Directive?

Yes. All the categories or classes of radio equipment listed in Part I of Annex Ia use direct current (DC) to charge. This current is usually transformed from alternative current (AC) through a charging device (an external power supply). However, there are instances where the radio equipment can be recharged directly (without an external power supply) with direct current (e.g. in a car). USB-C is being generalised as the default charging port in many systems (buildings, airports, planes, trains, cars, etc.) and these systems serve as the external power supply and supply direct current to the radio equipment.

19. Are 'DECT cordless phones' and 'push to talk phones' covered by the new rules of the RED introduced by the Common Charger Directive?

If the radio equipment is not among the categories or classes of products listed in Part I of Annex Ia of or is not capable of being recharged by means of wired charging, it is not required to incorporate the harmonised charging solution.

'Mobile phones' connect to the network via a radio frequency and are in fact 'mobile' and can be used anywhere (where the telephone service provider offers coverage).

'DECT phones' connect to the network through the base and via a fixed landline and only work in the vicinity of the 'fixed' base. They cannot therefore be considered as 'mobile phones'.

'Push-to-talk' devices that do not connect to the cellular network and communicate between each other using radio frequencies are not considered as 'mobile phones'.

However, 'push-to-talk over cellular' devices do fall under the 'mobile phone' category. Indeed, 'push-to-talk over cellular' is an option for a 'mobile phone' to connect to a cellular network that enables subscribers to use their phones as 'push-to-talk' devices with unlimited range.

Charging receptacle

20. Are proprietary charging receptacles allowed in addition to a USB-C receptacle?

Yes. The RED only requires radio equipment subject to the 'common charger' rules to be equipped with the USB-C receptacle. The use of other receptacles is therefore not prohibited as long as the covered radio equipment is also equipped with a harmonised charging (USB-C) receptacle.

21. Can 6-pins USB-C receptacles be used for charging?

No. Only USB-C receptacles that are specified in standard EN IEC 62680-1-3 (referenced in Annex Ia) can be used (12, 16 and 24 pin).

22. Can radio equipment be equipped, as regards charging, only with a proprietary charging receptacle and be sold with an adaptor that converts the proprietary charging receptacle to a USB-C receptacle?

No. However, radio equipment may be equipped with a proprietary solution, as long as that radio equipment is also equipped with a harmonised charging receptacle (USB-C) as described in standard EN IEC 62680-1-3 (as referenced in Annex Ia). See also the answer to question 33.

Charging protocols

23. What charging options (USB power supply options) must a radio equipment support?

For radio equipment, which is subject to the 'common charger' rules, using a maximum charging power below or equal to 15 W, the power supply is harmonised by the integration of the USB-C receptacle. The 'power supply' options available for USB-C receptacles that must be supported by that radio equipment are listed in standard EN IEC 62680-1-3 (as referenced in Annex Ia). These options are USB 2.0, USB 3.2, USB 4, USB BC 1.2, USB Type-C Current 1.5 A, USB Type-C Current 3.0 A, and USB PD.

For radio equipment, which is subject to the 'common charger' rules, with a maximum charging power above 15 W, harmonisation of the 'fast charging' will help prevent producers of radio equipment from unjustifiably limiting charging speed and will help to ensure that charging speed is the same when using any compatible charging device. At least USB PD power supply must be supported by that radio equipment and the full functionality of USB PD must be ensured and not hampered by any additional (proprietary) charging protocol.

24. Are proprietary charging protocols allowed in addition to USB PD?

Yes. The objective is to encourage innovation and to allow the continued use of other charging protocols. However, additional proprietary charging protocols should not prevent, restrict or limit the maximum power achievable with the USB PD charging protocol and the harmonised charging hardware (receptacle, chips, etc.) integrated in the radio equipment.

25. Can a radio equipment limit the charging performance of a charging device which is not from the same brand but is compliant with the referenced standards?

No. The objective of the amendments introduced to the RED by the Common Charger Directive is to enhance consumer convenience and to ensure interoperability between devices and charging devices irrespective of their brands.

26. Is a radio equipment allowed to support a higher charging power (e.g. 40 W) when using a proprietary charging protocol than when using USB PD (e.g. 30 W)?

The RED (in its Annex Ia, Part I, point 3.2), ensures interoperability with different charging protocols. For that purpose, radio equipment which is subject to the 'common charger' rules must *'ensure that any additional charging protocol allows for the full functionality of the USB Power Delivery referred to in point 3.1, irrespective of the charging device used.'*

The wording *'full functionality of the USB PD'* means that a radio equipment must achieve the appropriate negotiated power for the harmonised charging hardware integrated in the radio equipment while using USB PD charging protocol (irrespective of the brand of the compatible charging device used). Additional proprietary charging protocol, that maximises the charging capabilities beyond the USB PD specifications of the same harmonised charging hardware, are allowed. However, as stated in the answer to question 24, any additional proprietary charging protocol must not prevent, restrict or limit the power the radio equipment can be charged with using the USB PD charging protocol (up to the maximum power as specified in EN IEC 62680-1-2, as that standard is referenced in Annex Ia) over the same harmonised charging hardware integrated in the radio equipment.

This provision specifically ensures that charging via USB PD is not hindered by, or to the detriment of, an additional proprietary charging protocol.

This principle is also applicable for devices with power levels lower than or equal to 15 W.

27. Is a radio equipment allowed to charge above 240 W when using an additional charging protocol?

Yes. If the radio equipment proprietary charging solution requires more than 240 W (e.g. 300 W), the concerned radio equipment must also support USB PD up to 240W.

The Commission has updated, via Commission Delegated Regulation (EU) 2023/1717, the references to the standards cited in Annex Ia to the latest version of the European standards. The updated version of the standards will apply as of the date of applicability of the relevant rules introduced to the RED by the Common Charger Directive, i.e. for handheld mobile phones, tablets, digital cameras, headphones, headsets, handheld videogame consoles, portable speakers, e-readers, keyboards, mice, portable navigation systems and earbuds, as of 28 December 2024 and, for laptops, as of 28 April 2026. This means that as from those dates a radio equipment, if it listed in Annex Ia and is capable to be recharged by means of wired charging at power above 240 W, must incorporate the harmonised charging solution up to 240 W.

The Commission will continue to update the technical specifications set out in Annex Ia, in order to reflect scientific and technological progress or market developments provided that they meet the objectives of the common charging solution.

28. Is a charging current above 5 A allowed when using an additional charging protocol?

Yes. There is an upper limit for charging current (5 A) in the USB PD standard (EN IEC 62680-1-2, as reference in Annex Ia) and USB-C standard (EN IEC 62680-1-3, as referenced in Annex Ia). However, if there are no corresponding charging requirements for additional charging protocols, charging current above 5 A may be used provided that it does not limit/restrict the harmonised charging solution. However, this does not exempt respecting the clarifications given to the other related questions in this section of the guidance.

29. Must radio equipment offer the option to charge in all modes of functioning (off, standby, light use, normal use, and intensive use)?

The RED does not define the modes of functioning in which the radio equipment must be in order to maintain operation while charging.

Recital 6 of the Common Charger Directive only provides clarifications regarding ‘the minimum and maximum power’ required to charge the radio equipment. It states that: *The minimum power should express the sum of the power required by the radio equipment to maintain operation and the minimum power required by its battery to start charging. The maximum power should express the sum of the power required by the radio equipment to maintain operation and the power required to achieve the maximum charging speed.*

Radio equipment, which is subject to the ‘common charger’ rules, must however ensure that none of its permissible charging modes interfere or limit its compliance with the RED (including the rules introduced to the RED by the Common Charger Directive).

Radio equipment with a charging maximum power up to 240W is normally able to charge with the harmonised charging solution and maintain operation in all functioning modes (off, standby, light use, normal use, and intensive use).

It might be the case that some of the functioning modes of the radio equipment, with a charging maximum power above 240 W, prevent the charging of the radio equipment with the harmonised charging protocol because they are too intensive in power; in this case, it is necessary to ensure that the compliance of such radio equipment is not affected.

30. Does a radio equipment that charges via USB-C and USB PD but restricts data speed by another means, including components mentioned or not mentioned in the USB-C standard comply with the new charging rules?

The Common Charger Directive does not introduce any rules on the transfer of data. It introduces the rules of the common charging solution, which allows consumers to charge their devices at the same speed with any USB-C charging device, regardless of the device brand. The RED empowers the Commission, in Article 3(3)(a), to define, if necessary, which categories or classes of radio equipment would be required to be constructed that it interworks with accessories.

Unbundling of the charging device

31. Can a radio equipment be sold with the charging device in-box?

Yes, as long as the consumer has also the choice of buying the same radio equipment without a charging device in-box.

The manufacturer, under the new rules of the RED introduced by the Common Charger Directive, is not required to ensure that certain ancillary features (e.g. specific colour) of the radio equipment offered without a charger are the same.

32. Does the charging device offered to the consumer separately from the radio equipment have to be identical to the charging device sold in-box?

No. As long as a compatible charging device is offered, it does not need to be the same colour, model, type, or brand as the ones sold in-box with the radio equipment.

33. If a radio equipment has an alternative (i.e. not USB-C) charging receptacle (e.g. barrel style) in addition to the USB Type-C receptacle, do the requirements of Article 3a of the RED regarding the supply of radio equipment without a charging device, apply to the alternative charging device?

Yes. The objective is to encourage use of charging devices compatible with the common charging solution.

Article 3(a)(2) of the RED requires economic operators to provide information on whether or not a charging device is included with the radio equipment which is subject to the ‘common charger’ rules. It also refers to a pictogram (set out in point 1 of Part III of Annex Ia). There are two formats of the pictogram: the format in point 1.1 which must be used when a charging device is included with the radio equipment; and the format in point 1.2 which must be used when a charging device is not included with the radio equipment. The format of the pictogram indicating that a charging device is included (specified in point 1.1) must be used (provided) even when radio equipment is offered with a charging device which is not compatible with the harmonised charging solution (if a charging device can interoperate only via an adaptor then it is not deemed to be a compatible charging device). When the radio equipment is offered with two charging devices, one which is compatible and the other one which is not compatible, only one pictogram can be provided, which must be in the format specified in point 1.1.

If a charging device is included with the radio equipment, the information required by the third subparagraph of Article 10(8) of the RED must indicate whether or not the charging device included with the radio equipment is compatible with the harmonised charging solution. The same information needs to be provided, for each charging device included with the radio equipment, if two charging devices are included with the radio equipment.

34. Do the requirements of Article 3a of the RED extend to the charging cable?

No. If the charger has a detachable charging cable, it may be in the interest of the end-user that the manufacturer supplies an appropriately rated charging cable with the radio equipment. This is a decision for the manufacturer who, as regards the wired charger, must take account of other applicable EU legislation, such as the Low Voltage Directive (Directive 2014/35/EU⁽¹³⁾) which aims at ensuring that electrical equipment within its scope provide a high level of protection of health and safety of persons, and of domestic animals and property.

35. Does the requirement on unbundling mean that, when radio equipment without a charging device is offered for sale, there is no obligation to also offer the same model of radio equipment with a charging device?

Yes.

36. Does the requirement on unbundling of the charging device mean that it should always be possible for the consumer to buy a product without the charging device?

Yes.

Information to consumers

37. How should manufacturers inform consumers about the charging capabilities (e.g. min-max charging power, charging protocol) of radio equipment when using an additional charging protocol?

Manufacturers are not obliged to provide information on proprietary charging solutions. Manufacturers can use their own visual element and relevant descriptions for any additional charging solution that the radio equipment integrates, separately from the label defined in Part IV of Annex Ia which must only provide information about the harmonised charging solution.

38. What measures can the Commission take to address confusion and misinterpretation by consumers of the charging capabilities of the radio equipment compared with the charging capabilities of their charging device (external power supply)?

The Commission is empowered to address potential issues arising from visual information requirements by modifying the pictogram or the label referred to respectively in Part III and Part IV of Annex Ia through delegated acts, if necessary.

39. Are laptops exempted from the requirement to indicate on the packaging the pictogram and the label referred to in Part III and Part IV of Annex Ia to the RED?

No. All categories or classes of radio equipment which is subject to the 'common charger' rules must bear the pictogram and the label on their packaging. The pictogram indicating the presence or absence of a charging device with the radio equipment is defined in Article 3a(2) of the RED. The label giving information on specifications relating to charging capabilities and the compatible chargers is defined in Article 10(8) of the same directive.

⁽¹³⁾ Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (OJ L 96, 29.3.2014, p. 357, ELI: <http://data.europa.eu/eli/dir/2014/35/oj>).

Under the rules introduced by the Common Charger Directive to the RED, information on specifications relating to charging capabilities and the compatible chargers (Part II of Annex Ia) may also be made available by means of QR codes or similar electronic solutions.

Application, compliance, and implementation

40. **What should economic operators do with previous models of radio equipment which do not incorporate the common charging solution?**

Manufacturers benefit from a transition period of 24 months after entry into force of the Common Charger Directive, in order to apply the new rules to their products.

— Entry into force: 28 December 2022;

— Entry into application: 28 December 2024, for handheld mobile phones, tablets, digital cameras, headphones, headsets, handheld videogame consoles, portable speakers, e-readers, keyboards, mice, portable navigation systems, earbuds; and 28 April 2026, for laptops.

Note: these categories of radio equipment are listed in Part I of Annex Ia and the rules of ‘common charger’ apply, as of dates indicated above, if the radio equipment can be recharged by means of wired charging.

Regarding existing products, the new rules will apply to all devices that will first be ‘placed on the market’ in the EU, on or after the entry into application (see above), regardless of whether they are of a ‘model’ already marketed. The RED does not recognise the notion of ‘model’, which is a commercial term.

This will not prevent existing stock of equipment that have been placed on the EU market before the entry into application of the new rules from being sold legally after the entry into application of the new rules. The ‘Blue Guide’ contains further detailed guidance on that matter, notably in section 2. See also the answer to question 43.

41. **Are the rules applicable to products sold outside the EU?**

The RED establishes a regulatory framework for placing radio equipment on the market in the EU. The rules and requirements laid down in the RED are only applicable on the territory of the EU Member States and have no extraterritorial application.

The EU rules do not oblige manufacturers to implement the harmonised charging solution on all their product lines which they sell globally but only on those products that are sold on the EU market. Therefore, the EU rules do not prevent manufacturers from offering products, which incorporate different charging solutions in different global regions. The decision whether to opt for different charging solutions for products sold in different global regions or to rather opt for the EU harmonised charging solutions for all products sold globally is therefore entirely within the hands of the manufacturers.

The ‘common charger’ rules may in the future apply in countries, such as the EEA-EFTA States (Iceland, Liechtenstein, and Norway), in accordance with the provisions of a relevant agreement.

42. **Will non-USB cables and charging devices have to be thrown away?**

The Common Charger Directive does not require the disposal of radio equipment, cables, or charging devices that are used by consumers or that are already placed on the EU market, which are not equipped with the harmonised charging solution. The rules only apply to any radio equipment that will be placed on the EU market on or after the date of applicability of the ‘common charger’ rules. The RED defines ‘placing on the market’ as ‘the first making available of radio equipment on the Union market’, noting however that the concept of making available refers to each individual product, not to a type of product, and whether it was manufactured as an individual unit or in series (see also section 2 of the Blue Guide that provides clarifications on the terms ‘placing on the market’ and ‘making available on the market’). The new rules will of course require some adaptation to existing practices over time, but positive impacts are expected, because market fragmentation in terms of charging receptacles in particular and charging technology in general currently inconveniences consumers and produces unnecessary electronic waste.

43. How will manufacturers demonstrate compliance with the ‘Common Charger’ essential requirements?

Compliance with the applicable essential requirements of the RED is a prerequisite for placing products that fall within its scope on the EU market.

In accordance with Article 17(2) of the RED, manufacturers must demonstrate that their radio equipment complies with the essential requirements set out in Article 3(1) and (4) of the RED, using any of the following conformity assessment procedures:

- (a) internal production control as set out in Annex II;
- (b) EU-type examination followed by the conformity to type based on internal production control set out in Annex III;
- (c) conformity based on full quality assurance as set out in Annex IV.

The ‘Common Charger’ essential requirements are set out in Article 3(4) of the RED.

Note: For the other essential requirements of the RED, i.e. those that are set out in Article 3(2) and (3) of the RED, the conformity assessment procedures are set out in Article 17(2) and (3) of the RED.

44. Who will ensure that non-compliant products do not end up on the EU market?

Member States are entrusted with organising and performing market surveillance, which should ensure that products covered by specific harmonised legislation, that are liable to compromise the health or safety of users, or do not comply with rules set out in product specific legislations, are withdrawn, prohibited, or restricted from the EU market.

As regards market surveillance, the RED is applicable together with Regulation (EU) 2019/1020 on market surveillance and compliance of products.

45. What sanctions will a manufacturer face if its product is not compliant with the rules introduced by the Common Charger Directive to the RED?

The Common Charger Directive does not introduce any sanctions in the case of non-respect of the newly introduced requirements. The RED, which is being amended, already contains rules on enforcement (the safeguard clause procedure) and possible penalties for economic operators, that do not comply with the applicable requirements. In particular, the specific enforcement measures are detailed in the dedicated Chapter V of the RED. The national market surveillance authorities, which are responsible for enforcing the rules may take a series of corrective and/or restrictive measures in relation to non-compliant products, including the withdrawal or recall of non-compliant radio equipment.

In addition, Article 46 of the RED requires the Member States to lay down in their respective national legislation rules on penalties applicable to infringements by economic operators of the rules laid down by the RED. The rules introduced by the Common Charger Directive are integral part of the RED, so penalties will also apply to infringements by economic operators of the rules of the Common Charger Directive.

The penalties (including the possible financial sanctions) for the non-respect of the new rules, which will be introduced by the Common Charger Directive may therefore be found in the respective national legal instruments, which transpose the RED. These national transposition measures may be found under the heading ‘National transposition’ on the following publicly available webpage: <https://eur-lex.europa.eu/legal-content/en/NIM/?uri=CELEX:32014L0053>.

46. Do the standards referred to in Annex Ia to the RED require compliance with the entire standards referenced or simply compliance with certain parts?

The rules introduced by the Common Charger Directive require radio equipment which is subject to the ‘common charger’ rules to incorporate the USB receptacle and the USB PD charging protocol as described in the respective standards. Under Annex Ia, there is no references to any exemptions from applying specific parts/sections of the standards. The standards must therefore be considered in their entirety (to the extent that the parts/sections of the standards relate to those requirements) in order to ensure compliance with those requirements. Certain other aspects are regulated by other provisions of the RED (e.g. safety aspects are regulated by Article 3(1)(a) of the RED and electromagnetic compatibility aspects are regulated by Article 3(1)(b) of the RED).

Where the standards referenced in Annex Ia specify several alternative solutions, the choice of the appropriate solution must not compromise the conformity with the specifications set out in Annex Ia.

47. How will the references to the standards laid out in Annex Ia be updated when new editions are published by International or European Standardisation Organisation?

The RED empowers the Commission to amend Annex Ia via delegated acts. These amendments, prepared well in advance in consultation with the relevant experts and stakeholders, will allow to closely reflect scientific and technological progress or market developments. The first delegated act (Commission Delegated Regulation (EU) 2023/1717 updating the references to the standards cited in Annex Ia) was published in the Official Journal of the European Union on 11 September 2023. Regarding transition periods, this will be analysed on a case-by-case basis. For instance, Commission Delegated Regulation (EU) 2023/1717, does not contain a transition period. However, it will *de facto* apply as from the date of application of the rules of Annex Ia it amended, for which an appropriate transition period was already given by the Common Charger Directive itself.

48. Is a radio equipment that already implements new editions of standards that are not yet referenced in Annex Ia allowed on the EU market prior to the publication of a delegated act updating those references?

Compliance with the essential requirements must be demonstrated. The manufacturer can use new edition of standards that are not yet referenced in Annex Ia as long as the product is compliant with the standards whose references are legally binding under the RED (referenced in Annex Ia), and if technical documentation shows that compliance has been ensured with those standards.

49. Must the standards specified in Annex Ia be referenced on the EU Declaration of Conformity?

No. There is no such obligation. The standards referenced in Annex Ia are not voluntary harmonised standards/technical specifications for conformity assessment. Considering the structure of the EU declaration of conformity (point 6 of Annex VI to the RED does not relate to mandatory essential requirements or mandatory specifications), there is no requirement to reference these standards in the EU declaration of conformity.

However, manufacturers of radio equipment listed in Part I of Annex Ia to the RED must maintain evidence of compliance with these requirements in the technical documentation of the product. The RED sets out conformity assessment procedures in its Article 17, which also apply to the 'new' essential requirements relating to the 'Common Charger' added to the RED by the Common Charger Directive.

50. Since the standards referenced are not harmonised standards published in the Official Journal of the European Union, is a manufacturer required to use a notified body to prove compliance with the Common Charger Directive?

No. Use of a notified body is not mandatory. Please refer to Article 3(4) and Article 17(2) of the RED and also to the answer to question 43.

51. What do the modifications to the RED introduced by the Common Charger Directive do to prevent sale/purchase/usage of unsafe cables and chargers?

Products that do not comply with applicable EU legislation are not allowed on the EU market.

The RED contains clear and unequivocal provisions to ensure the safety for the radio equipment that falls within its scope. In addition, the safety of wired chargers is governed by the Low Voltage Directive. The amendments introduced to the RED by the Common Charger Directive are intended to encourage the use of cables and charging devices that are compatible with it regardless of whether they are produced by the manufacturer of the radio equipment or by another manufacturer. This helps reduce costs for consumers and increases competition. Furthermore, it is the role of national market surveillance authorities to ensure that non-compliant (unsafe) products are not placed on the EU market.