

UL Solutions' position on use of AV/ICT Components certified to legacy (EN 60065 and EN 60950-1) standards in AV/ICT Equipment intended for EU Market Access after 2020-12-20

Background:

The Standards both include a legacy component provision in sub-clause 4.1.1 (See the Reference section at the end of this communication for the EN IEC 62368-1:2020 wording.) The European Committee for Electrotechnical Standardization (CENELEC) did not explicitly remove this provision from either standard, although both EN 60065 and EN 60950-1 formally will be withdrawn on 2023-12-20, which also is the Date of Cessation of Presumption of Conformity of Superseded Standards associated with EN 62368-1:2014. Additionally, the Harmonized Standards (HAS) Consultant, on behalf of the European Commission, has expressed concern with this 4.1.1 provision as part of the pre-publication review of EN IEC 62368-1:2020 for alignment with the EU Low Voltage Directive (LVD). Therefore, as a result there remains some uncertainty on the regulatory impact of utilization of this 4.1.1 legacy component provision after 2023-12-20.

UL Solutions Position:

The UL Solutions position is that it is in the manufacturer's best interest from a business risk management perspective to use AV/ICT components certified to EN 62368-1 in AV/ICT equipment certified to EN 62368-1. This is the firm UL Solutions recommendation to all manufacturers of AV/ICT equipment and components for entry into the EU Market, both before and after 2020-12-20.

However, because of the regulatory uncertainty on how the appropriate EU Directives and Regulators will view the inclusion of the 4.1.1 legacy component provision after 2020-12-20, and because the CE Marking is a manufacturer's self-declaration of compliance with the appropriate EU Directives, it is UL's current position that for manufacturers requesting an IECEE CB Test Report / Certification for AV/ICT equipment that includes Europe, the manufacturer's decision (choice) will guide application of the 4.1.1 legacy component provision in EN 62368-1:2014 and EN IEC 62368-1:2020, both before and after 2020-12-20.

Therefore, when specifically requested by the manufacturer, and after reminding the manufacturer of the associated regulatory uncertainty and potential business risk, UL Solutions will consider the 4.1.1 legacy component provision for either an EN 62368-1:2014 or EN IEC 62368-1:2020 investigation. When the manufacturer elects to invoke the 4.1.1 legacy component provision, UL Solutions will include a statement in the CB Report documenting such. We anticipate this UL Solutions position will remain as stated until further regulatory clarity/certainty is established in Europe, if this occurs.

Note, for EU market access services associated with EN 62368-1 that involve a product safety mark regulated by in-country requirements/regulations, such as the voluntary GS Mark in Germany, UL Solutions will adhere to and apply the specific policies stipulated by the country regulations when providing services associated with such marks, which may differ than what is permitted under the IECEE CB Scheme. Similarly, the impact of EU voluntary mark programs should be considered by the manufacturer when requesting the issuance of a CB Report/Certificate to be presented to another National Certification Body (NCB) as part of the application of such marks, since, regardless of the NCB providing the mark, these voluntary EU marks are subject to in-country requirements/ regulations that may not permit use of the 4.1.1 legacy component provision.

For example, on September 28, 2020, the German committee EK1 (Erfahrungsaustauschkreis im Rahmen des ProdSG) approved a Decision (EK1 707-20) that although EN IEC 62368-1:2020 + A11:2020 may be used within the GS-Scheme for the GS Mark, pre-certified components according to EN 60065 and EN 60950-1 are not permitted — the legacy component provision in sub-clause 4.1.1 has been invalidated for the voluntary GS Mark to this standard. This Decision applies immediately for certifications to EN IEC 62368-1:2020 + A11:2020.

Note, as of December 20, 2020 the same conclusion also applies (based on prior Decision EK1 711-20) to EN 62368-1:2014 + A11:2017 since both EN 60065 and EN 60950-1 will be withdrawn on that date. Therefore, for active GS projects to EN 62368-1:2014 + A11:2017 that intend to utilize sub-clause 4.1.1, the project needs to be completed before December 20, 2020.

Reference:

EN IEC 62368-1:2020: Audio/video, information and communication technology equipment - Part 1: Safety requirements

4 General requirements

4.1 General

4.1.1 Application of requirements and acceptance of materials, components and subassemblies