

# Correcting act of Commission Regulation (EU) 2023/1670 laying down ecodesign requirements for smartphones and tablets

ZVEI statement

## Addition of an exemption for ATEX products

Smartphones and tablets for Ex applications are a high technology niche, where European companies are currently leading worldwide manufacturers. Those Ex products are intended only for professional users in Ex environments. They are often used among others features for important communication and locating personnel in large facilities. Explosion-proof applications require special safety-related requirements (e.g. for repairs), some of which contradict the requirements under the Ecodesign Directive 2009/125/EC and now the Ecodesign Regulation (EU) 2023/1670.

The regulation (EU) 2023/1670 specifies that the design of smartphones and tablets must enable repairs and that essential repairs can be carried out by generalists using standard tools. In contrast, ATEX equipment according to the corresponding directive (EU) 2014/34 must provide means to prevent the ignition of a potentially explosive atmosphere. This means that for example repairs (if any) may only be carried out by specialists with specific tools. Ex smartphones and tablets are not intended for the consumer market, nevertheless the regulation (EU) 2023/1670 does not exempt Ex products from the scope. As a result, the two laws contain contradicting requirements making it impossible for responsible manufacturers to comply with both simultaneously.

Therefore, we suggest including appropriate exemptions under regulation (EU) 2023/1670 for products that fall within the scope of the ATEX directive:

### Article 1

#### Subject matter and scope

1. This Regulation establishes ecodesign requirements for the placing on the market of smartphones, other mobile phones, cordless phones and slate tablets.
2. This Regulation does not apply to the following products:
  - (a) mobile phones and tablets with a flexible main display which the user can unroll and roll up partly or fully;
  - (b) smartphones for high security communication
  - (c) smartphones, other mobile phones, cordless phones and slate tablets subject to Directive (EU) 2014/34.**

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Lobbying Register ID.: R002101 • EU Transparency Register ID: 94770746469-09 • [www.zvei.org](http://www.zvei.org)

Date: April 11, 2025