

Smartphones and slate tablets: Questions and answers

Among others from the Compliance Services webinar for suppliers,
which took place on the 30th of September 2025

Energy labelling	2
The energy label – in the packaging	2
The energy arrow and PIS – online sales	4
The scope of the regulation	6
Placing on the market and the transition period	9
Availability of energy labels	11
EPREL	11
Ecodesign	12
Ecodesign requirements	12
Energy labelling and ecodesign regulations	14
General questions	14
Measurement and calculations	17
Enforcement	20
Downloads and important links	21

Energy labelling

The energy label – in the packaging

1. Missing energy label

Question

Is it the manufacturer or the retailer who is responsible for the energy label if it is missing in the packaging?

Answers

It is the supplier's obligation to provide each smartphone and slate tablet with a printed energy label.

However, as a dealer, you are responsible for ensuring that the energy label is displayed close to each smartphone and slate tablet displayed at the point of sale.

If the package of a smartphone or tablet, which was placed on the market from the 20th of June 2025 onwards, does not include a printed energy label, you must contact the supplier and request it. The supplier is required to send you the printed energy label within five working days.

References to the legislation

The energy labelling regulation [\(EU\) 2023/1669](#), art. 3 and 4 regarding the dealers' and the suppliers' obligations.

The energy labelling frame regulation [\(EU\) 2017/1369](#) article 3.2 describes the procedure for requesting a printed energy label.



2. The energy label in the packaging

Question

The energy label can be part of the instruction manual, or a leaflet included in the packaging? Not provided as a separate printed item?

Answers

No, the supplier must provide each smartphone and slate tablet with a separate printed energy label in the packaging.

References to the legislation

The energy labelling regulation [\(EU\) 2023/1669](#), art. 3 regarding the dealers' obligations.

The energy arrow and PIS – online sales

3. Requirements, website

Question

Please explain the requirements for products being displayed on a website.

Answer

If a product is displayed on a website, but it cannot be purchased via the website, the display is considered a visual advertisement. In this case, you must show the energy label arrow pointing to the left, positioned close to the product. If there is a price, the letter in the arrow must have at least the same size as the price.

If a product is displayed on a website and can be purchased via any subpage of the website, it is considered online sales. In this case, you must display the energy label arrow (pointing to the left) as well as a link to the product information sheet, both positioned close to the product and if there is a price, the letter in the arrow must have the same size as the price.

Please investigate the [CS Quick guide for dealers](#) for the complete set of requirements.

References to the legislation and important links

The energy labelling regulation [\(EU\) 2023/1669](#), Annex VII (visual advertisements) and Annex VIII (online sales).

You can download the energy arrows here:

<https://circabc.europa.eu/ui/group/7f4824e3-f72c-4126-b6b8-842a4443a4ca/library/17bc1987-e20e-49d5-a847-f7e28070c23b/details>

4. Online materials, TVC (television commercials), OOH (advertising, that reaches consumer when they are outside their homes for example bill boards), etc.

Question

In advertising, is the placement of the energy efficiency arrow flexible, or must it be positioned so that it points to the product, when it is positioned left of the product and vice versa — i.e., to the right of the product so that it points left, towards the product?

Answer

The energy arrow must always point to the left, regardless of whether the product is placed to the left or right of the arrow. It is not specified if the arrow must point towards the product, it shall just be positioned so that it is clear to which product it belongs.

References to the legislation

The Energy Labelling Regulation [\(EU\) 2023/1669](#), Annex VII.

5. More than one device – visual advertisements

Question

How about when we display more devices in a creative way – where does the arrow go?

Answer

Each product model has to bear an energy arrow in the specified size and format, and the energy arrow shall always point to the left.

References to the legislation

The Energy Labelling Regulation [\(EU\) 2023/1669](#), Annex VII and [CS Quick guide for dealers](#)

The scope of the regulation

6. Smartphones larger than 7,2 inches

Question

How to manage smartphones with screens ≥ 7 inches, which are considered by the regulation as 'tablets'?

Answer

The product's characteristics determine its legal definition and, consequently, whether it falls within the scope of an ecodesign or energy labelling regulation, and to which product category it belongs (i.e. smartphone or slate tablet in this specific case). However, please note that a smartphone with a viewable diagonal size of 7 inches or more is not considered a slate tablet, because other criteria apply as well, which differentiate smartphones and slate tablets. Such smartphones fall under "other mobile phones".

Please note that it is the regulation that defines the minimum and maximum sizes and other parameters, and not the test method.

Please ask the manufacturer for the definition of the specific product.

The manufacturer will have to determine whether the product is defined as a:

- Smartphone or slate tablet; it must comply with the energy labelling regulation [\(EU\) 2023/1669](#) and the ecodesign regulation [\(EU\) 2023/1670](#).
- Mobile phone other than smartphones or cordless phone, it must comply with the ecodesign regulation [\(EU\) 2023/1670](#).

or if the product is out of the scope of these regulations.

References to the legislation

The Energy Labelling Regulation [\(EU\) 2023/1669](#), Art. 2 1. (1) regarding the definition of mobile phones.

The Energy Labelling Regulation [\(EU\) 2023/1669](#), Art. 2 1. (2) regarding the definition of smartphones (as a subgroup of mobile phones).

The Energy Labelling Regulation [\(EU\) 2023/1669](#), Art. 2 1. (5) regarding the definition of slate tablets.

7. Refurbished or used smartphones and tablets

Question

How do the regulations handle refurbished or used smartphones and tablets sold online?

Answer

The new regulations do not apply to second-hand products that are already on the EU market. However, they do apply to used or second-hand devices imported from a third country, as these are considered to be placed on the EU market for the first time.

After a product has been placed on the market, the product may be subject to life extension processes.

While some of these processes intend to maintain or restore the product to its original condition, others imply that substantial modifications are made to the product:

If substantial modifications are made to the product to the extent that the compliance of applicable requirements such as energy efficiency is affected, these are considered as 'new products'. In this case, the person carrying out the substantial modification has to fulfil the same requirements as an original manufacturer, for example preparation of the technical documentation, drawing up a EU declaration of conformity, affixing the CE marking on and providing an energy label and product information sheet with the product.

Products which have been repaired (for example following a defect), without being considered as new products, do not need to undergo conformity assessment again and are considered as used products and shall not be displayed with an energy label. In this case, make sure that the customer is being informed that this is a repaired product.

Useful links

[The 'Blue Guide' on the implementation of EU product rules 2022](#), repairs and modifications to products.

8. E-readers

Question

Do e-readers count as tablets, or are they exempt from this regulation?

Answer

There is no simple answer to this question, since there are many different e-reader models with different functionalities and intended purposes, and the answer depends on the characteristics of the specific product. Please ask the importer or the manufacturer for clarification.

The product is being defined as a slate tablet if the product is designed for portability and has the following characteristics:

- (a) it has an integrated touch-sensitive display with a viewable diagonal size greater than or equal to 17,78 centimetres (or 7,0 inches) and less than 44,20 centimetres (or 17,4 inches);
- (b) it does not have an integrated, physically attached keyboard in its designed configuration;
- (c) it primarily relies on a wireless network connection;
- (d) it is powered by an internal battery and is not intended to work without battery; and
- (e) it is placed on the market with an operating system designed for mobile platforms, identical or analogous to smartphones;

References to the legislation

The energy labelling regulation [\(EU\) 2023/1669](#), art 2 Definitions, (5)

Placing on the market and the transition period

9. Deadline for selling non-compliant devices

Question

How long may clients of importers of smartphones, that is to say dealers, sell those devices imported prior to 20th June 2025 not being fully compliant with ecodesign and energy labelling regulations?

Answer

Please note that this is specific to every unit, not to a product model in general.

Units placed on the market before the 20th of June 2025 fall outside the scope of the regulation and may be sold, without any time limitation, even if they do not meet the ecodesign and energy labelling requirements.

To be precise, units imported before 20th June 2025 are neither non-compliant nor compliant, since they are simply not covered by the regulations.

Please also note that this is also valid for products produced in the EU.

To decide whether the product unit is in scope of the regulations, you must define the date of the unit's placement on the market, and not the date of the import of the unit.

Useful links

[The 'Blue Guide' on the implementation of EU product rules 2022](#), 2.3 Placing on the market and 2.10. Transitional periods in the case of the new or revised EU rules.

10. Products in a warehouse

Question

Does the regulation also apply to smartphones imported to the EU before the 20th of June 2025 and still in the warehouse and still being sold?

Answer

The answer depends on the specific situation and, most importantly, on the date when the product units are considered to be “placed on the EU market.”

Importantly, placement on the market does not necessarily require physical delivery of the product units, so the presence of product units in a EU warehouse does not automatically mean the products have been placed on the market in the legal sense.

In legal terms, a product is placed on the market when there is an offer or agreement (either written or verbal) between two or more legal or natural persons concerning the transfer of ownership, possession, or any other right related to the product. For instance, a product is considered as placed on the market when the ownership of the product units is transferred from a non-EU manufacturer or an EU-based importer to an EU-based dealer or end-user.

So if the importer has imported the products and located them in a warehouse within the EU before, this does not constitute placing them on the EU market. Please note that this is specific to every unit, not for a product model in general.

But if the importer has transferred the ownership to a dealer before the 20th of June 2025, the products are considered as being placed on the market before the 20th of June 2025 and do not have to meet the ecodesign and energy labelling requirements of [\(EU\) 2023/1670](#) and [\(EU\) 2023/1669](#). This means for example, that the product does not need to be provided with an energy label.

Useful links

[The ‘Blue Guide’ on the implementation of EU product rules 2022](#), 2.3

Placing on the market

Availability of energy labels

EPREL

11. EPREL – EAN/GTIN codes

Question

When will the EPREL API be updated so that EAN codes of products are linked to the EPREL website, allowing online stores to find energy labels and product sheets? Currently, you need to have the EPREL product code in order to obtain information from the API.

Answer

Quote from the EPREL helpdesk (10th of June 2025):

“The GTIN is not requested by the regulations, so we can’t make it mandatory. But we hope suppliers will find it useful and will start filling it in. We are putting all the tools to make it more prominent, but we can’t force them”.

Please note that a product must be provided with a product information sheet and not a product sheet.

Useful links

[Q&A](#) from the EPREL Support help desk (you need an EU login to enter this link). You can create an EU login here: [EU Login user portal – European Union](#))

Ecodesign

Ecodesign requirements

12. Ecodesign requirements for retailers/dealers

Question

Can you please explain the ecodesign requirements for retailers?

Answer

The ecodesign regulation [\(EU\) 2023/1670](#) does not include any requirements for dealers, only for suppliers. However, if a dealer has its own brand, the dealer also becomes a supplier. Please consult the guidelines for suppliers: [Quick guide: Smartphones, slate tablets, cordless phones and other mobile phones – Compliance Services](#)

In general, it can be said that the EU ecodesign regulations help make products better for the environment by setting minimum requirements for energy efficiency. This means the least efficient products are removed from the market, helping the EU reach its energy and climate goals. At the same time, the energy labelling regulation encourages companies to innovate and stay competitive by improving the environmental performance of their products across the EU.

The ecodesign regulation [\(EU\) 2023/1670](#) applies to smartphones, slate tablets, cordless phones and mobile phones other than smartphones.

The ecodesign requirements introduced by [\(EU\) 2023/1670](#) include, among others, requirements for:

- Resistance to accidental drops or scratches and protection from dust and water
- Sufficiently durable batteries which can withstand at least 800 charge and discharge cycles while retaining at least 80% of their initial capacity
- Rules on disassembly and repair, including obligations for producers to make critical spare parts available within 5-10 working days, and for 7 years after the placement of the of the last unit of a product model on the EU market
- Availability of operating system upgrades for longer periods (at least 5 years from the date of placement on the market of the last unit of a product model)
- Non-discriminatory access for professional repairers to any software or firmware needed for the replacement

Legal references

The ecodesign regulation [\(EU\) 2023/1670](#) for smartphones, slate tablets, cordless phones and mobile phones other than smartphones.

13. Repairability of screens

Question

Can the manufacturer enforce a software lock on a repair? Or is that prohibited?

Answer

Economic operators can only use software locks (under the understanding that, with this expression, that we refer to the pairing of a spare part to the device by means of a software code to ensure full functionality of the spare part and the device) if they comply with the requirements of the Regulation for serialised parts.

In particular, economic operators must provide professional repairers and/or end users (depending on the spare part affected) non-discriminatory access to any software tools, firmware or similar auxiliary means needed to ensure the full functionality of the spare parts and the device in which such spare parts are installed during and after the replacement.

Legal references

For detailed requirements: [\(EU\) 2023/1670](#) Annex II, Part B, point 1.1 (7).

Energy labelling and ecodesign regulations

General questions

14. Rules and thresholds

Question

How were the rules and thresholds for the labels determined (I know this requires a long answer, even just giving a source document is enough for me)

Answer

You can find more information on this subject on the EU Commissions website: [Smartphones and Tablets - European Commission](#) and [Policy Making - European Commission](#)

15. Certification of the accuracy of the values

Question

Who certifies the accuracy of the information on the energy label?

Answer

The legal entity responsible for the placing on the market of the product (the supplier, i.e. the manufacturer, importer or authorised representative) is responsible for the accuracy of the values on the energy label.

The national market surveillance authority verifies whether products placed in the EU market follow the requirements laid out in ecodesign and energy labelling regulations.

When the legal entity responsible for the placing on the market of the product (i.e. the manufacturer, the authorised representative or importer) introduces a product to the EU market, the product may be selected for inspection (market surveillance) by the relevant authorities.

Market surveillance refers to inspections or other verification activities undertaken by market surveillance authorities (MSAs) to check the compliance of products sold on the EU market with the relevant EU legislation.

The scope of a market surveillance inspection may vary and can include the product documentation (for example test reports to verify the values in the energy label)/information and/or the physical product (for example product tests to verify the values in the test reports).

The full list of market surveillance authorities can be found here: Full list for all of EU here: [EUROPA - European Commission - Growth - Regulatory policy - SMCS](#)

16. Transposition of the Directives

Question

Will this directive require formal transposition by the Portuguese government, or will it be directly applicable starting 20 June?

Answer

While the ecodesign directive ([Directive 2009/125/EC](#)) was addressed to Member States and had to be transposed into national law, the ecodesign regulations (implementing measures) and the energy labelling regulations (both the main regulation and the implementing measures) are binding in their entirety and from the date of applicability stated in the regulation directly applicable in all EU Member States (and the other EEA countries).

17. The future legislation

Question

In the field of energy efficiency, will adding circular economy requirements to regulations become a trend for all products?

Answer

Yes, the EC Commission will analyse carefully for every product group under review for new regulations, whether and how circular economy aspects can be included.

Measurement and calculations

18. Harmonised standards

Question

How is the availability of harmonised standards for the compliance of products?

Answer

In each country, there is a national standardisation body (NSB) that acts as the distributor for European / harmonised standards. Here you can purchase the standard.

19. EEI

Question

What is the appropriate test method for defining the EEI?

Answer

Testing procedure laid down in Annex IV, Section 1, to Delegated Regulation [\(EU\) 2023/1669](#);

- Test specifications available on the Commission website: <https://ec.europa.eu/docsroom/documents/50214> ;
(→ to be superseded by the harmonised standard, under development)
- Standards samples (video, audio, etc.) available on the Commission website: https://circabc.europa.eu/ui/group/418195ae-4919-45fa-a959-3b695c9aab28/library/01c3b805-a11f-4805-a2c6-99ea88936a5e?p=1&n=10&sort=modified_DESC

NB: Commission will possibly develop a tool (app) for EEI calculation

20. Calculations

Question

- a) The battery life, how it is done and why?
- b) Which floor is used for the droptest?
- c) Is there some resource or person which can be contacted for in depth questions?

Answer

a.) Battery life

Batteries are tested for the battery endurance per cycle and for the battery endurance in cycles. These parameters have similar names, but shall not be mixed as the meaning is different.

Battery endurance per cycle means the time a smartphone or slate tablet can operate running a defined test scenario with an initially fully charged battery, before the device shuts off automatically due to a drained battery. The full specifications for the test cycle are given in [\(EU\) 2023/1669](#), Annex IV. 1 “Calculation of the Energy Efficiency Index”.

Battery endurance in cycles means the number of charge/discharge cycles a battery can withstand until its usable electrical capacity has reached 80 % of its rated capacity. The test runs as long as the battery has, in a fully charged state, a remaining capacity of at least 80 % of the rated capacity. The battery is tested according to the default charging algorithms implemented by the manufacturer and with the operating system version installed on the product model at the date of placement on the market. The resulting number of cycles is rounded down to full hundreds. The test sequence is as follows: 1) one cycle at 0,2 C discharge rate and measure capacity; 2) cycles 2-499 at 0,5 C discharge rate; 3) repeat step 1. To determine the number of cycles beyond 500 cycles, one should then continue with: 4) 99 cycles at 0,5 C discharge rate 5) repeat step 1 6) repeat steps 4 and 5 until measured capacity is below 80 %. Tests shall be performed with an external power source, which does not limit the power draw of the battery and leaves it to the specified default charging algorithm to regulate the charging rate. See also energy labelling regulation [\(EU\) 2023/1669](#), Annex IV.2 “Measurement of the Battery Endurance in Cycles” and Annex Iva



“Transitional Methods” (reference test method IEC EN 61960-3:2017).

b.) Floor used for drop test

The full procedure for testing the resistance to accidental drops or repeated free-fall reliability is laid out in the energy labelling regulation [\(EU\) 2023/1669](#), Annex IV.4 “Resistance to Accidental Drops or Repeated Free Fall Reliability” and Annex Iva “Transitional Methods”. Slate tablets shall be tested for resistance to accidental drops, fall height 1 meter on 3 mm steel plate backed by 10-19 mm thick hardwood (reference test method IEC 60068-2-31).

c.) Who can be contacted for in depth questions?

If you have specific questions to new ecodesign and energy labelling regulations (currently regarding tumble dryers, smartphones/slate tablets etc. and local space heaters, you can contact our project team via <https://www.product-compliance-services.eu/compliance-service-desk>



Enforcement

21. Observing non-compliance

Question

If an organisation observes that a phone manufacturer's shop is not complying with the requirements for displaying the energy label, how should this be escalated?

Answer

The organisation should inform the national MSA about the situation. It is helpful to provide documentation to support the report, such as a screenshot if an online shop is concerned, or some photos in case of a physical shop.

Downloads and important links

22.The graphic files (the energy arrows)

Question

Where do we find graphic file for the letter in the arrow?

Answer

You can download the energy arrows here:

<https://circabc.europa.eu/ui/group/7f4824e3-f72c-4126-b6b8-842a4443a4ca/library/17bc1987-e20e-49d5-a847-f7e28070c23b/details>

23.The suppliers' quick guide

Question

Where do we find the suppliers' quick guide?

Answer

You can download the quick guide here: [Quick guide: Smartphones, slate tablets, cordless phones and other mobile phones - Compliance Services](#)

Disclaimer

The information provided in this document reflects the project's understanding and as such is not legally binding. A binding interpretation of European Union law is the sole competence of the European Court of Justice. Any advice or instruction provided cannot substitute the requirements of the energy labelling and ecodesign regulations or the individual delegated acts, which are binding in their entirety and directly applicable in all EU Member States.



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