EuroVAprint-Remans response to NGO comments on draft Voluntary Agreement

NGOs have recently published comments[1] on the draft Voluntary Agreement ("VA") submitted to the Commission on 9 April 2021[2]. Some of those NGOs are stakeholders to the VA and have been involved in the various stakeholder meetings and consultation fora and attended the targets subgroup meeting as observers.

To assist the Commission and JRC in assessing the draft VA, EVAP[3] and the remanufacturers[4] that have jointly submitted the VA to the Commission ("Remanufacturers") wish to respond to the comments made by the NGOs and can provide further details when we meet with the JRC (on 27 September 2021).

Before addressing the individual comments, a couple of general remarks are worth mentioning:

- It is important to reiterate that the proposed VA presents innovative solutions to challenges that were preventing finalization of the VA in 2019 and is a breakthrough voluntary agreement in having been developed by competing actors in the industry.
- The NGOs criticize the VA arguing that it does not reflect existing Eco-Design regulations. In many areas the VA does reflect existing Eco-Design regulations and examples are noted below. There are cases where provisions have been tailored to better reflect the realities of the sector -which is a key value of having a VA. There are also cases where the VA reflects ambitious ecolabel standards. It does not make sense, however, for all criteria to be drawn from those ecolabels because the ecolabels are typically designed to be achievable for only the top performing products and act as a market differentiator while for a VA to be successful it needs to be achievable for all/virtually all products of manufacturers representing a sufficient market share. Therefore, the companies do not agree with the suggestions that the VA is not ambitious and with the NGOs always flexibly demanding the best of the existing Eco-Design Regulations and top ecolabel criteria.
- The NGOs repeatedly state that printers are "short lived" and "unrepairable" without providing any hard data or reports to substantiate these claims. Manufacturers do not agree with these statements. Printers are durable and long-lasting with low failure rates.
- Some comments relate to issues that have been the subject of discussion earlier in the VA process and reflect solutions agreed with the Commission. An example relates to assessing marketing share. Other comments relate to issues that have been discussed and explained in stakeholder meetings (the incorrect suggestions that the VA is somehow limited to four remanufacturers) or resolved in the targets subgroup meetings (the correction factor in the targets calculation). Constantly returning to these points is concerning and impedes progress.

General comment from the NGOs on the VA and the time it has taken to negotiate and draft

[1] https://www.coolproducts.eu/wp-content/uploads/2021/07/ECOS-eNGO-comments-on-IE-VA-July-2021.pdf
[2] The latest draft VA v.5 (9 April 2021) and Explanatory Note are available on the EuroVAprint website: https://www.eurovaprint.eu/pages/voluntary-agreement/
[3] Members of EuroVAprint: Brother International Europe, Canon Europe Ltd., Epson Europe BV, HP Inc., Konica Minolta Business Solutions Europe GmbH, Kyocera Document Solutions Europe BV, Lexmark International nv/sa, Sharp Electronics GmbH, Toshiba TEC Germany Imaging Systems GmbH and Xerox.
[4] Armor Group, Clover Imaging Group, KMP AG and 3T Supplies AG (Peach).

The proposed VA is the result of a commitment of significant time and resources by EVAP and the Remanufacturers. The VA draft was put together to support the Circular Economy Action Plan by including commitments designed to further progress imaging equipment repair and reuse, as well as innovative and carefully developed commitments for enabling cartridge reuse. It is important to understand that negotiated proposals very often require compromises to maintain the maximum participation. The ability to work through the issues and find balanced solutions is an advantage of using a voluntary agreement. Achieving these balanced solutions between competing actors in the industry and then also with Member States in the targets sub-group has been a key success of the process.

Allegation that printers are "short-lived" and "unrepairable" and responsible for large amounts of WEEE.

The NGOs make a number of claims about volumes of WEEE and proportions of printers and cartridges recycled which are apparently based on the NGOs own estimates. The NGOs provide no explanation of how those estimates are developed. Without information on the sources it is difficult to comment apart from to confirm that we do not recognize the data and therefore also the conclusions the NGOs try to draw from the data.

The NGOs also repeatedly assert that printers are short lived and unrepairable but present no credible, verifiable evidence for these assertions. EVAP rejects these assertions. Printers produced by EVAP signatories are durable and long-lasting products with low failure rates. The repeated suggestion that EVAP members somehow intend or design them to be short lived defies logic given the business models that rely on cartridge sales and the printer installed base.

Allegation that the VA fails to address critical issues and is unlikely to have a positive impact on sustainability

EVAP also disagrees with the assertion that the VA fails to address critical issues. The VA includes obligations that address all the key topics in recent Eco-Design measures. This includes energy efficiency commitments at the level of the most ambitious ecolabels for the sector (i.e. Energy Star and Blue Angel), repair information at the level of existing Eco-Design measures (adapted to the realities of the sector) and extended spare part availability. It also responds to the key requests from remanufacturers at the April 2019 Stakeholder Meeting and December 2019 Consultation Forum, namely provisions to (1) address the issues of firmware updates, (2) ability to have a functioning ink/toner level gauge in cartridges remanufactured with original electronic circuitry and (3) targets for increased remanufacturing.

NGO comments about current remanufacturing rates

Exact data is not available but, in the target subgroup, EVAP and the Remanufacturers shared and discussed the available data and industry experience and concluded that the best available estimate is a remanufacturing rate of 7% for ink cartridges and 27% for toner cartridges. EVAP and the remanufacturers agreed in the targets subgroup that an appropriately ambitious goal would be to increase remanufacturing rates to 14% for ink (a 100% increase) and 40% (a 48% increase) for toner by 2025. The subgroup discussed in detail the factors that contribute to remanufacturing rates and concluded that the primary issues are the rates of collection for empty cartridges and market factors of New Build Compatible (NBC) cartridges eroding the price to a point where remanufactured cartridges cannot compete. Remanufacturers also confirmed in the subgroup meetings that they do not remanufacture NBC cartridges due to their low quality, inconsistency and concerns over substances they may contain and that accordingly NBC cartridges do not contribute appreciably to existing remanufacturing rates.

NGO allegation that the VA lacks any meaningful incentives for cartridge reuse, contains loopholes, is limited to a small number of remanufacturers, ties consumers to a specific aftersales market and negatively affects affordability of products.

The VA clearly does include meaningful incentives for cartridge reuse. It contains binding targets to increase remanufacturing rates significantly by 2025. The VA is very carefully and tightly drafted and is the result of careful negotiations between EVAP members and the remanufacturers. Therefore, it is not accurate to suggest that it contains loopholes. The binding targets operate independently of the bilateral arrangements which facilitate remanufacturing by addressing certain functionality issues that remanufacturers encounter when remanufacturing cartridges using the original electronic circuitry.

It is also incorrect to present the number of remanufacturers that will join the VA and the availability of bilateral arrangements to those remanufacturers as limited. The VA is open to all players in the EU cartridge industry. Any company that joins the VA and produces remanufactured cartridges using the OEM's original electronic circuitry for sale in the EU is eligible to request a bilateral arrangement if the OEM has not provided the relevant functionality by other means. The VA creates an incentive for OEMs and remanufacturers to negotiate bilateral arrangements but does not limit the number of bilateral arrangements that an OEM can or must enter into. The reason that four of the key EU remanufacturers have been active in the negotiations to date results from the process. EVAP invited all remanufacturers that had previously shown interest in the VA to engage. The companies involved to date are those that came forward and showed interest in working with EVAP on the process. EVAP has received interest from 11 other remanufacturers in joining the VA, and as noted, it will be open for any others to join as well.

The VA in no way ties consumers to a specific after-sales market and there seems to be no basis for suggesting that it will affect the affordability of products. However, it is important to note that the proliferation of low-cost NBC cartridges was repeatedly highlighted by Remanufacturers as the single biggest negative impact on remanufacturing rates in the EU and therefore there is an inherent inconsistency in the NGOs' apparent demands for ever lower costs and higher rates of remanufacturing.

Criticism that the printer design commitment is limited by reference to original electronic circuitry

The VA includes two design commitments. One relates to the design of cartridges and the other relates to the design of printers. OEMs can only agree to design commitments for their own printing systems (i.e. what they design). That is why the printer design obligation refers to cartridges remanufactured using the original electronic circuitry. During the stakeholder meeting in April 2019 and the Consultation Forum on December 2019 remanufacturers stated that they prefer to use the original electronic circuitry but when they remanufacture cartridges using the original electronic circuitry certain functions are not available, in particular the ink/toner level gauge. The VA addresses this issue by creating a requirement for the OEM to develop and offer to signatory remanufacturers a solution so that cartridges remanufactured using the original electronic circuitry have this functionality.

Comment about cartridges that do not use electronic circuitry

The vast majority of printing systems on the market today use cartridges that have electronic circuitry. To the extent that there are technologies that use cartridges without electronic circuitry then the cartridge design commitment will apply equally to them. The reason that the printer design commitment focuses

on the issue of electronic circuitry is because, without some form of electronic circuitry with which the printer identifies the cartridge, there is no printer design issue relating to cartridge acceptance to address.

Criticism of the provisions on "bilateral arrangements" including the compliance threshold and "no interest" letters

Paragraph 9.5 and Annex D2 have been drafted to strike a careful balance. The aim is to enable OEMs to have flexibility in how to make available the functionality referred to in paragraph 9.5.1 taking into account differences in technology and allowing OEMs to protect confidentiality and trade secrets. OEMs may provide the functionality by offering bilateral arrangements on commercially reasonable terms. The 50% threshold sets a minimum number of bilateral arrangements that the OEM must enter into if it chooses to offer the additional functionality in that way. OEMs and Remanufacturers agreed that setting the bilateral arrangement compliance threshold at 50% was a reasonable way to create an incentive to negotiate on both sides. A negotiation on the offer put forward by OEMs to Remanufacturers is likely to result in the most efficient solutions. While the OEMs cannot discriminate between companies in their offer, if the VA were to insist on a standard agreement without any ability to negotiate then the standard agreement would inevitably be more favourable to some remanufacturers than others given the differences in their businesses. The aim was to create circumstances where the most efficient outcomes are reached. The compliance threshold of 50% for entering into bilateral arrangements is not a limit on the number of bilateral arrangements but a mechanism to create incentive on both sides to find solutions. The "no interest" letters also play an important role. If remanufacturers are not interested in bilateral arrangements with certain OEMs such as because they do not have a business remanufacturing the cartridges of that OEM then it clearly does not make sense for that remanufacturer to be counted in determining whether the OEM has achieved sufficient bilateral arrangements to comply with the VA.

Criticism of the exceptions to the design commitments in paragraphs 9.2 and 9.4

The NGOs have commented on the exceptions set out in paragraphs 9.2 and 9.4 of the VA. They are targeted to enable certain types of existing and potential future business models to operate within the context of the VA. It is beneficial for customers and for competition if companies offer different business models for selling printing products and services. OEMs also consider that the business models in question present a number of benefits and opportunities from a circular economy perspective.

It is important to note that the cartridges to which these business models apply are included in the calculations for the overall reuse targets. This will create circumstances where OEMs have to develop solutions for those business models in order to comply with the targets, depending on the proportion of the market that the business model represents. So, the exceptions to the design commitments in paragraphs 9.2 and 9.4 are not exceptions to the reuse targets.

Paragraph 9.2 is targeted to enable subscription and service models under which customers can pay for the pages they print. This has obvious customer and circular economy benefits since it encourages the use of the largest cartridges possible. These business models require the use of technology to prevent the customer from circumventing the contract by stopping payment but continuing to print.

Some other business models that subsidize the printer cost or offer low cost per page printing rely on the customer agreeing to use only a particular company's cartridges and under some of those business models the company has a need to be able to use the technology to prevent the customer from circumventing

the agreement by using other cartridges. Paragraph 9.4 is designed to allow for this type of situation. The key is that the customer should be able to choose whether to purchase that business model or not and the VA wording makes clear that, for the exception in 9.4 to apply, the customer must make a decision based on "clearly presented information". There is no basis for suggesting that the VA allows companies to somehow conceal the details of the business model or otherwise deceive customers. These business models still have to adhere to all the appropriate consumer protection requirements.

Allegation that the cartridge reuse targets are flawed and for the remanufacturing market correction factor

We do not understand the comments and figures from the NGOs on this point but there appears to be some misunderstanding as to how the targets in Annex J operate.

The targets rely on reporting data on new cartridges and remanufactured cartridges made available by the signatories. If an OEM reports all its new cartridges and 100% of the remanufacturing market is represented in the VA and reports all cartridges of that OEM remanufactured, then the remanufacturing rate can be calculated directly. If only 50% of the remanufacturing market is represented, then the true remanufacturing rate cannot be calculated because the data would not represent all the remanufacturing of the OEM cartridges that is taking place. In order to function properly, either the target would need to be reduced by an equivalent factor or the results adjusted up to represent 100% of the remanufacturing market. This issue was discussed in target subgroup meeting attended by Member State and European Commission representatives and it was agreed that it made sense to apply a correction factor to adjust the results to represent 100% of the remanufacturing market. The VA provides that progress towards the targets will be set out in the Annual Compliance Report, including the adjustment factor.

Criticism of the commitment to publish page yield information according to ISO/IEC standards
Paragraph 9.8 is a requirement to measure page yield according to ISO/IEC standards and to report on the page yield. This will create consistency in the level and quality of information across different VA signatories. It was agreed in the negotiations that there is no need to present page yield information under business models where the end user customer pays for a service or on a per page basis.

Concerns about market share (OEM market share and cartridge aftermarket market share)

Market share is an important consideration and OEMs have stated so on several occasions. For the purpose of this VA, the VA market coverage for printers is not the same as the VA market coverage for cartridges and containers since the latter includes a wider range of industry players: OEMs, remanufacturers, refillers and new built compatibles/clones (and counterfeits are also a factor).

On the market coverage for printers, at the request of the Commission and Steering Committee stakeholders in March 2018, EuroVAprint contracted the RINA (the Independent Inspector) to provide a figure for the market share represented by the Voluntary Agreement (version 5.2) from an independent provider of market data. RINA contracted InfoSource, an independent and reputable source, to provide the required data. The Independent Inspector confirmed that the market coverage for printers of the companies involved in the current revision of the Voluntary Agreement remained in excess of 80% (97.4%) of products placed on the market in the EU that are within scope of the Voluntary Agreement. We have no reason to believe that this has changed significantly since 2017. Importantly this takes into account Samsung, Panasonic and Ricoh. The situation was explained in the April 2019 Stakeholder Meeting with

NGOs present and, in particular, it was explained that Panasonic had exited the imaging equipment market and Samsung had been acquired by HP so that HP's market coverage includes the former Samsung business.

EVAP has always made clear -including at the Consultation Forum of December 2019- its view that OEMs do not represent 80% of the cartridge and container market. There is no reliable data on the cartridge and container market coverage. This lack of data was evident in the study commissioned by DG Energy in 2019. EVAP suggested that an independent researcher could assess the market coverage (as mentioned in the Explanatory Note accompanying the draft VA in December 2019). However, the Commission informed EVAP that for the purpose of the market share of the VA, the Commission will use the market share for printers portion.

The NGOs refer to the membership of ETIRA to suggest that the VA has not attracted interest from the remanufacturing industry. As noted above, four remanufacturing companies came forward to take part in the negotiations, but a further 11 companies have since expressed an interest. In addition, it is important to note that ETIRA does not represent the whole industry and some of its members are not remanufacturers but rather suppliers to the remanufacturing industry. Therefore, what will count is the proportion of the remanufacturing industry that joins the VA if it is endorsed by the Commission.

NGO comment that the draft VA should require the publication of the bilateral arrangements

In accordance with the Commission's Guidelines, the VA provides a balance: on the one hand, the principles of the bilateral arrangements set out in Annex I (Bilateral Arrangement Conceptual Example) should be public, while on the other hand, individually negotiated bilateral arrangements need not be. They have to comply with the principles in Annex I, as explained below.

It has always been part of delivering the VA that the signatories have commercial freedom to reach individual bilateral arrangements (so long as Annex I is respected) with various counterparts, who may have different characteristics and relationships to each other. Individually negotiated bilateral arrangements are competitively sensitive.

The proposed draft VA differs from anything in existence in Eco-Design voluntary agreements or envisaged when the VA guidelines were written in that it involves bilateral arrangements between signatories from different sectors of the industry to enable remanufacturing. Allowing those negotiations and the eventual arrangements to remain confidential will support open negotiations between the parties, support competition, and allow the parties to protect confidential information including trade secrets.

As noted above, if OEM Signatories have to produce standard bilateral arrangements that are not subject to a confidential negotiation those standard bilateral arrangements are likely to benefit some Supporting Signatories more than others, depending on the specifics of their businesses.

The VA has been designed to be open on the question of what is achieved (ink/toner levels and improved installation messaging and compatibility with FW updates), leaving the specific details of how it is achieved (chip reset, firmware reset etc.) in the bilateral arrangements between the individual signatories. The Commission's Guidelines should therefore be applied based on what they were originally designed for and not to prevent an innovative approach that was not envisaged when they were written.

NGO comments on VA decision making procedures

Having different parts of the industry represented in the VA creates a challenge for ensuring fair decision-making processes under the VA. It was recognized that there would, most likely, always be one industry group outnumbering the other(s). This was the reason for creating a sub-committee procedure involving equal numbers of OEM Signatories and Supporting Signatories. As noted above we expect that the eventual number of Supporting Signatories will exceed 5 and therefore a sub-committee of 5 OEM Signatories and 5 Supporting Signatories seemed reasonable. The whole purpose was for the numbers to be equal. Suggesting that this is an attempt to skew the decision making is baseless. In the unlikely event that there is a VA with fewer than 5 Supporting Signatories common sense would dictate changing the numbers in any sub-committee to make it balanced. In addition, the comments about voting outcomes make no sense because the VA does not include a voting process in either the sub-committee or steering committee specifically to try and avoid the possible challenges referred to.

NGO comments on the biannual windows for joining the VA

As explained in the December 2020 Consultation Forum the purpose of establishing joining windows is to simplify administration of the VA. The VA includes annual compliance reporting including reporting data for the purposes of target calculations. This would quickly become unnecessarily complicated if companies were to join at any point throughout the year. In addition, the process of negotiating and implementing bilateral arrangements will involve significant work for both OEM Signatories and Supporting Signatories and creating some structure in terms of timing will be beneficial. For these reasons there is a considerable benefit to aligning the dates from which new member companies will start to comply under the VA. Following comments from Stakeholders the VA was amended from one annual joining window per year, to two so that companies will either start complying in January or in July of a compliance calendar year. If a company misses a joining period this reduces the period until the next opportunity to 6 months which should not result in significant business impact. It is important to note that there will also be a joining window at the start of the VA following endorsement. We feel that this arrangement strikes a balance between the two objectives of openness of participation and effective management of the VA and does not prejudice potential signatories.

Allegation that 80% of printers are replaced within the first 3 years and that the product group is notorious for planned and premature obsolescence

EVAP has requested that NGOs share the data supporting the claims made on limited lifetime and the allegations around obsolescence of printers. Without any supporting data and clarity as to the source of the data we cannot comment on such allegations except to confirm that OEMs strongly disagree with the statements. Given that the business models in the sector rely on printers being operational in order to support cartridge sales, a great deal of consideration goes into product design and service offering in order to ensure high quality and low failure rates of the products on the market.

Allegations that energy and material efficiency commitments are not ambitious or comprehensive, are marred with loopholes, vulnerable to abuse and do not match existing Eco-Design measures

The energy efficiency commitments of the proposed VA are based on the most ambitious set of requirements for the sector, i.e. Energy Star v3.0, which constitutes the basis of all other ecolabel commitments for the sector (e.g. EPEAT and Blue Angel). The tiered approach and percentage targets in the VA are necessary because it will take time for industry to transition products to these ambitious energy standards and a small amount of margin is required to take into account variables in that process of

transition. OEMs' track record with this approach has proven to yield significant results in driving the sector towards significant improvements in energy efficiency. In relation to the comment that internal power supply efficiency requirements should be included, ENERGY STAR efficiency approaches (OM and TEC) have already driven internal power supply efficiency to levels where any further gains that could be achieved would be marginal.

Criticism of the provisions allow for "whole unit replacement" using reused or refurbished parts or products

EVAP has explained the approach taken under paragraph 7.4.6 in the Consultation Forum meetings. Paragraph 7.4.6 requires manufacturers to either make spare parts available in accordance with 7.4.2 or operate a whole unit exchange service model using reused or refurbished parts or products taking into account the availability of returned units capable of repair. Paragraph 7.4.6 therefore offers the manufacturers the possibility to operate a "replace by refurbished" service model which is consistent with circular economy principles. This option has been included because it reflects the reality of what some manufacturers already do because it is efficient and makes economic sense. There is no basis to argue that this approach somehow "legitimises.....short-lived, disposable printers". As already noted, manufacturers reject the persistent allegations based on no evidence presented that printers are not durable.

Comment that disassembly rules are inadequate and contrary to existing Eco-Design regulations

The comments suggesting that the design for recycling and design for dismantling provisions are insufficient and do not match up to existing Eco-Design regulations is incorrect.

Section 7.4.2 includes the following: "*OEM Signatories shall ensure that these Spare Parts can be replaced with the use of Commonly Available Tools and without permanent damage to the appliance.*" This is the same wording as in EcoDesign Regulation 2019/2021 and therefore it is incorrect to say that it is contrary to existing Eco-Design regulations. If it can be replaced as a spare part using commonly available tools it can be dismantled at end of life using commonly available tools. The VA also includes an appropriate obligation on fasteners requiring OEM Signatories to utilize commonly used fasteners for joining components, subassemblies, the chassis and enclosures.

The NGOs suggest that use of "technically required" or "necessary to ensure the safety of the product concerned" are open to abuse. This terminology is perfectly capable of objective assessment by the Independent Inspector. We do not agree with the suggestion that this is some sort of attempt to create loopholes.

The use of the word "materials" was deliberate. The purpose of this criteria is to ensure the appropriate recycling stream of each plastic type (plastic material), so the wording of "material" here is important and accurate and it should not be replaced by "parts". "Materials" rather than "parts" is also consistent with existing ecolabel requirements.

The list of parts in 7.3.1 is from the WEEE Directive and Regulation 2019/2021 references the same list.

Comments that the spare parts list is insufficient, does not include maintenance kits and does not include components allegedly causing printer failures

EVAP refined the spare parts list that was originally proposed by the consultants to the Commission to make it more precise, accurate and clear. Some parts for which there simply is no demand as a spare part have been deleted from the list. Other appropriate parts were added. Requiring manufacturers to produce and stock parts has an environmental impact. In addition, where there is no demand for those parts, they would end up being scrapped increasing the overall environmental impact. Again, it is unclear what data the allegations from NGOs about causes of printer failures is based on. However, EVAP notes that some of the parts listed by the NGOs as not being in the list are, in fact, in the list: internal power supplies, control circuit boards, external power supplies, control panels including electronic displays, ink collection units.

Comments on inception of the revised spare parts provisions and 15-day period for delivering spares

The proposed 18 months period was included in alignment with the recently approved Eco-Design implementing measures and accounts for the operational transition necessary.

The spare part delivery commitment of 15 working days is also aligned with existing Eco-Design implementing measures. As stated already above, our industry has no interest in having non-operational products in the market, given our interest in keeping our cartridge business supported, therefore we will always strive to deliver and repair as soon as possible.

Comments that the VA does not restrict halogenated flame retardants in printer enclosures and does not contain provisions on printer emissions or hazardous substances in consumables

The content of hazardous substances in printer hardware and consumables is already subject to significant regulation: RoHS Directive, REACH restrictions, POPs Regulation. Those laws include mechanisms designed for assessing substances for restriction. There is no need to introduce additional processes or limitations through the VA. Nevertheless, the VA does include a commitment to comply with all such legislation. EVAP and the remanufacturers share concerns about recent cases of new build compatible cartridges containing the restricted substance DecaBDE above applicable thresholds.

On the question of emissions from printers, the main reference point used by the industry are the criteria set out in the Blue Angel Ecolabel. As noted above, Ecolabels are generally designed to set ambitious targets that are not necessarily achievable for all products and all companies. During negotiations it became apparent that this is the case for emissions rates according to the Blue Angel criteria and also that this is a competitive differentiator for companies. Therefore, in accordance with the approach explained in the introduction, it did not make sense to include these criteria in the VA. It is possible to identify products that have been certified to the Blue Angel standards by referring to the Blue Angel's website.

Comment that the VA only provides for the Independent Inspector testing for VA energy requirements

The VA provides for compliance verification in relation to the **energy requirements** because those are the requirements for which existing and adequate test methods exist. For the other commitments testing is not necessary to establish compliance and other means such as assessment of documentation can be used.

Comment on using Gen type ecolabel for compliance verification

EVAP would like to clarify that a condition for an ecolabel to be recognized by GEN is that the ecolabel has to require 3rd party verified certification, therefore the NGO statement that "compliance is proposed to

be established even if no genuine third-party verification of the credibility of submitted claims ever takes place" is incorrect.

Comment on Annex G of the VA

There is no need to set out material efficiency information beyond stating that the product complies with the VA requirements. There seems to be little value in just restating the requirements of the VA and it is sufficient to state that the product meets the VA requirements.

END