

GAMES CONSOLES VOLUNTARY AGREEMENT (GCVA) ELEVENTH STEERING COMMITTEE MEETING

Tuesday, 8 June 2021, 16h00-18h00

Conference call

PARTICIPANTS

ECOS	1. Ernestas Oldyrevas
European Commission (EC)	2. Ewout Deruwaarder
Independent inspector (Intertek)	3. Jane Lee
Microsoft	4. Kim Braun
	5. Ted Eckert
	6. Adriana Mattei, Zetacast, consultant to Microsoft
Nintendo	7. Julie Cheung-Rueckert
	8. Eiichiro Morisaki
	9. Calum Robertson
	10. Emil Schweiger
NRDC	11. Noah Horowitz
Oekopol	12. Lisa Rödig
Sony	13. Josh Aslan
	14. Kasia Colombani, Interel Group, consultant to Sony
	15. Ceri Fenwick
	16. Martin Green
	17. Kieren Mayers
	18. Gabriele Perrone, Interel Group, consultant to Sony
VA Administrator (Cambre Associates)	19. Laura Carre-Diaz
	20. Ilaria Graceffa
	21. Ferial Saouli

AGENDA

1. Welcome and introductions
2. 10th Steering Committee meeting (28 July 2020)
 - Approval of minutes
 - Review of actions
3. ACR Presentation by the Independent Inspector
4. Update from Signatories
 - Industry response to comments from the December 2020 Consultation Forum
 - Updates implemented in SRI v 4.0
 - Commitments for the 2022 Review of the SRI
5. Comments/Update from the European Commission
6. Adoption of SRI v 4.0
7. AOB and date of next Steering Committee meeting
8. End of meeting

MEETING MINUTES

This Steering Committee meeting was held online via web conference, due to meeting/travel restrictions related to Covid-19.

1. Welcome and introductions

Ted Eckert (Microsoft) opened the meeting and welcomed all participants. Ferial Saouli (Cambre Associates, VA Administrator) then reviewed the agenda. No additional items were brought forward.

2. 10th Steering Committee meeting (28 July 2020) approval of minutes and review of actions

Ferial Saouli (Cambre Associates, VA Administrator) recounted that the minutes were circulated, approved, and uploaded on the Games Consoles (GC) [website](http://efficientgaming.eu/docs/)¹. She also noted that all the actions agreed at the 10th Steering Committee meeting had been completed.

3. ACR presentation by the Independent Inspector

Jane Lee (Intertek, Independent Inspector) gave a presentation about the SRI 2020 Annual Compliance Report (ACR). Both the ACR and her presentation can be found on the GC [website](http://efficientgaming.eu/docs/)².

- The Independent Inspector determined that the Signatories **continue to be compliant with all SRI requirements**. No compliance verification investigation was undertaken during this reporting period.

¹ <http://efficientgaming.eu/docs/>

² <http://efficientgaming.eu/docs/>

- The SRI version applicable to reporting period 1 January - 31 December 2020 is: [SRI v 3.0](#)³.
- The three Signatories represented 100% of the EU market.
- Eight games consoles fell within the scope of the SRI: Microsoft Xbox One S, Microsoft Xbox One X, Microsoft Xbox Series X, Microsoft Xbox Series S, Sony PlayStation 4 (CUH-2216), Sony PlayStation 4 Pro (CUH-7116), Sony PlayStation 5 (CFI-1016A) and Sony PlayStation 5 Digital Edition (CFI-1016B). Nintendo did not have a console falling within the scope for this reporting period but is still a Signatory to the SRI.

Jane Lee (Intertek, Independent Inspector) concluded her presentation with some recommendations related to the compliance investigation review (follow-up), clarity on APD measurements and information to consumers (as shown in slides 27-29). She noted that the recommendations have been considered by the Signatories and the Independent Inspector since the ACR publication in May 2021.

4. Update from Signatories

Industry response to the comments from the December 2020 Consultation Forum

Ted Eckert (Microsoft) kicked off the discussion by explaining that 2020 had been a review year of the SRI and that after the presentation of [SRI v 3.9.4](#)⁴ at the 9 December 2020 Consultation Forum, stakeholders (Germany, Denmark and NGOs⁵) had sent written comments to the Commission by 8 January 2021.

Ted Eckert (Microsoft) mentioned the industry response was shared with the Commission on 30 April 2021. Topics raised by stakeholders included the level of ambition, stakeholder involvement, scope, terminology, energy and resource efficiency and compliance. Industry responses included clarifications and amendments to the SRI to address concerns and set objectives for the 2022 Review of the SRI.

Updates implemented in SRI v 4.0

Josh Aslan (Sony) presented the updates implemented in [SRI v 4.0](#)⁶ related to [Energy Efficiency](#):

- Clarification that default low power modes for consoles are “regulatory standby mode(s)” as defined by EU regulation (wording clarified in the SRI text).
- Addition of explanatory footnote on APD settings for networked standby mode.
- Reduction of the Tier 6 power cap for the UHD (4K) Media Playback mode in 8K definition consoles from 110 W to 100 W.
- Including consoles consuming <20 W in active gaming mode in scope of energy efficiency information requirements (as of 1 January 2022).

³ https://efficientgaming.eu/fileadmin/user_upload/Games_Consoles_SRI_v3.0_March_2020.pdf

⁴ https://efficientgaming.eu/fileadmin/user_upload/2020_CForum/Draft_Games_Consoles_SRI_v3.9.4_compare.pdf

⁵ ECOS, Cool Products, EEB, Right to Repair and IFIXIT Europe.

⁶ https://efficientgaming.eu/fileadmin/user_upload/2021_SCM/Games_Consoles_SRI_v4.0_June_2021.pdf

Emil Schweiger (Nintendo) presented the updates implemented in SRI v 4.0 related to Resource Efficiency:

- Clarification on period of availability of hard disk drives and external power supplies to professional repairers and end-users.
- Clarification on period of availability of other specified key components to authorised repairers.
- Clarification of the term “authorised repairer”.
- From 1 January 2022, external plastic enclosure parts >25 g shall not contain HFR >0.1% by weight.
- Update on the verification table as described in Annex A-2.
- Clarification on the verification process for provision of information on HFR.

Ted (Eckert) presented additional updates implemented in SRI v 4.0:

- GCVA website will provide information re. power consumption of navigation, media playback, active gaming, regulatory standby modes and other user-enabled low power condition (as of 1 January 2022).
- Revision of text re. where Steering Committee meetings should be held (place).
- Addition of requirement to provide annual sales figures.

Commitments for the 2022 Review of the SRI

Josh Aslan (Sony) and Emil Schweiger (Nintendo) presented the commitments from Signatories for the 2022 Review of the SRI:

- Review power caps tiers.
- Consider reorganization of Annex B (Product Compliance Reporting) and provisions related to Energy Efficiency Information Requirements.
- Work with Independent Inspector to determine ways to enhance reporting.
- Consider extension of availability of spare parts (after assessment with supply chain and developers).
- Clarify and further specify exemptions to spare parts (via technical amendment).
- Continue to review which spare parts can be made available to professional repairers and end-users.
- Consider to further revise halogenated flame retardant related requirements (after assessment with supply chain and developers).

Questions/comments from stakeholders

Noah Horowitz (NRDC) thanked Signatories for their presentation and made the following comments:

- 1) Instant-on features: for the Xbox there is one feature that consumes 0,5 W and another 10-15 W according to Microsoft. When reviewing the PCR, Microsoft says the energy saving mode takes 45 seconds to start, when in reality it takes less than 10 seconds. He

- recommends revising this and providing information on the % of consumers that choose between the two energy saving modes.
- 2) The GCVA website should be improved overall to make information easier to find. Additionally, the website should provide annual estimates of the energy consumed by games consoles in Europe (to assess the progress being made each year). He cited Table 7 in the [US Set-Top Boxes 2019 Annual Report](#)⁷ as example of the type of data which would be useful to have, i.e. how many Watts used when playing, total Watts at European level, carbon produced, etc.
 - 3) Duty-cycles: he asked Signatories to take a look at how consumers are using the energy saving modes, i.e. how many hours a day the devices are used and in what mode.
 - 4) Upstream energy use should be measured to see if there is a positive or negative impact.

Kieren Mayers (Sony) thanked Mr. Horowitz and replied that a lot of the information is already provided in the individual company websites, but Signatories were actively looking at how to improve information on the GCVA website (type of information and easier access to it). With regards to duty-cycles he said Sony was looking at the data (which cannot be published currently due to consumer data privacy laws), but the Covid lockdowns had skewed the numbers (people at home are gaming more) and data needed to be reviewed and verified to extract information on duty-cycles per year and per model. On the topic of upstream energy use, he added that Sony has already shared its carbon impact assessment report at COP25 and the UN Playing for the Planet. He offered to get in touch with Mr. Horowitz about this report.

Josh Aslan (Sony) added that Signatories already report on annual energy consumption in the SRI review report (after every review) which is published on the GCVA website. As mentioned by Dr. Mayers, Signatories are currently revising the GCVA website and would welcome further discussions with Mr. Horowitz on his suggestions for improvement. Annual energy use has been reported before as a graph, but Signatories could work to improve the readability of that data by reviewing how it is presented in the Set-Top Boxes report.

Ted Eckert (Microsoft) said his company is continuously looking at ways to incentivise users to move to energy saving modes and has already changed the messaging during the initial set-up of the devices to encourage users to select the low power modes if it meets all their needs. He added that he was working with the Microsoft software team to see if users who activated instant-on are not using the functionality and how to encourage them to move to low power modes. They are also working to roll-out updates to all new and existing users.

Noah Horowitz (NRDC) thanked Signatories for their responses but **suggested adding a commitment/requirement within the SRI to update the duty-cycle by a certain date (tbc) and report numbers and/or % of users in the different cycle modes**. He acknowledged the challenges posed by the pandemic but said most software changes can be made easily and there could be commitments from Signatories ahead of the next holiday season.

Kieren Mayers (Sony) added one of the issues for making commitments on duty-cycles is related to data privacy and translating individual data per consumer/per console. Signatories follow academic studies and recommendations, but there is a lack of recent/updated information on

⁷ <https://www.energy-efficiency.us/library/pdf/STB2019AnnualReport.pdf>

duty-cycles. Signatories are doing the best they can to get some numbers but cannot publish their internal data for competition and privacy law reasons. He noted that the current estimates used by the Signatories are based on NRDC data, which do provide a reasonable estimate that matches the real-life data observed.

Ewout Deurwaarder (European Commission) asked why Nintendo consoles were not in scope of the SRI (for the last ACR report) and if Signatories really needed to include the 90% compliance rule, as it did not seem ambitious.

Kieren Mayers (Sony) replied the three Signatories cover 100% of the market, whereas the Commission Guidelines require 80% of market coverage for VA Signatories. He added the 10% tolerance on power consumption reflects the minimal requirements in the Commission Guidelines and that Signatories actually exceed those requirements of market coverage and compliance.

Emil Schweiger (Nintendo) clarified his company does sell consoles, but due to the exemption on consoles consuming under 20 W, the Nintendo SWITCH had not yet been in scope of the SRI. Since the adoption of SRI v 3.0 in March 2020, the SWITCH is now in scope for resource efficiency requirements and Nintendo will report on this model on the next Annual Compliance Report (covering period 1 January-31 December 2021). SRI v 4.0 has also added energy information requirements which bring the SWITCH into scope. All information will be publicly available on the company website and the GCVA website. He added that the 90% mentioned by Mr. Deurwaarder is about compliance of products and is in line with the Commission Guidelines.

Feriel Saouli (Cambre Associates, VA Administrator) confirmed the 80% market coverage and 90% compliance requirements are indeed part of the Commission Guidelines for VAs.

Ernestas Oldyrevas (ECOS) said he supported NRDC's request for Signatories to provide updates on duty-cycles and reporting of aggregated data on energy use and carbon impact associated to it (upstream use). He said he understood the Signatories did not intend to modify the SRI text at this point, but asked the meeting minutes to reflect **commitments to be made in order to take stock at the next meeting**. He added that ECOS thought the updated SRI requirements are not forward looking, purely representing today's state of the art (requirements follow the available technology, instead of setting prospects for product updates and future optimisations). He stressed ECOS had four main concerns:

- 1) The VA does not sufficiently address the fact that games consoles are one of the few product groups under Ecodesign, where the energy consumption continues to increase. New generation consoles consume up to 15 times more for media playback compared to other streaming devices. Consumers should at the very least be informed about this via some type of warning message about making the choice to use a console for streaming.
- 2) The VA continues to permit low power modes which are not subject to dedicated caps or requirements. Rest modes can consume up to 15 W and represent large shares of annual energy use. Signatories are urged to take action to introduce dedicated caps or to restrict "instant on" modes on the EU market altogether.
- 3) The updated resource efficiency commitments are unjustified. ECOS is also dissatisfied with the exclusion of controllers from the scope of the SRI as they are a heavily used

component of the consoles and they are easy to break (as demonstrated by recent reports by consumer organisations and the ongoing investigation by the European Commission⁸). Controllers were previously included in the scope of the SRI in relation to Auto Power Down requirements, so their exclusion from material efficiency requirements is entirely unjustified. If the controller is sold together with the console, Signatories should introduce specific requirements to replace components in controllers.

- 4) Resource efficiency requirements on the period to provide spare parts fail to align with existing Ecodesign rules. Some spare parts are not provided to repairers (e.g. fans) and it is worth noting that the analysis of internet searches reveals a clear interest in console repair which starts 2 years after introduction of the console on the market and continues well after 7 years, which makes the current proposed commitments meaningless.

Kieren Mayers (Sony) thanked Mr. Oldyrevas for his comments and said Signatories had looked at the input from stakeholders and had edited the SRI to accommodate requests (a lot of comments were taken on board). He also stressed that the Signatories take the NGO's comments seriously, treat the exchange of comments not just as a political process but as a way to work towards continued improvement, and don't want to lose that opportunity to communicate. With regard to energy use, he pointed out that the PS5 uses less energy than the PS4 launch model (TEC). There is also 1/3 less power being used when playing a PS4 game on the PS5, which clearly demonstrates the improvements in energy efficiency. Signatories are working on continuous improvement driven by the 2-year review cycle of the SRI, but added that it is becoming increasingly difficult to predict future improvements in available technology. In particular, whether a die shrink (which has previously provided large efficiency improvements for previous console generations) is possible for this generation, is particularly uncertain due to the slowing of Moore's law. He added that VAs function very differently than regulation, as VAs have a rapid and continuous review process. On media streaming, he said this has been a long-time issue but even if there is higher energy use, games consoles also offer higher graphical fidelity than other devices. He said PCs will often consume more than consoles and added that Signatories do report on this and can look at how to better report on it. With regard to low power modes, he stressed that some functions, such as auto-save and controller charging while the console was powered down, had been added at the request of NGOs in previous reviews. These modes do save energy overall, so he advised caution before asking to ban them.

Emil Schweiger (Nintendo) added that discussions about controllers have been ongoing, but the conclusion for Signatories is that, as for other Lots, controllers are not in scope, as it is the case for the regulation on displays as well. Controllers are widely available for consumers and are heavily used, and if they break it is usually due to heavy use. If they do break then our repair services are ready to fix them. The 2-year period of availability for spare parts has been recently added to the SRI, and Signatories need to carefully consider with their supply chains how long they can actually provide these parts (externally or via authorised repair providers) and if there is a demand for it. The extension of the period will greatly depend on how long the production line for the parts would be active (i.e. keeping a production line running with no demand is a waste of resources). Signatories will consider the extension of availability of spare parts at the next review of the SRI in 2022.

⁸ <https://www.beuc.eu/publications/beuc-launches-europe-wide-complaint-against-nintendo-premature-obsolence/html>

Josh Aslan (Sony) highlighted the SRI is coming to the end of its 3rd review since 2015 which has included six power cap reduction tiers, that have provided an effective driver of energy efficiency in games consoles. In fact, for the previous generation of consoles, this resulted in up to a 50% percent reduction in power consumption in some modes. There have been real energy efficiency improvements on a mode basis and progress has been made relatively quickly (in comparison to the regulatory approach).

Ted Eckert (Microsoft) explained the 2-year availability of spare parts is per individual console, as it relates to the 2 years after the last console of a specific model is put on the market. Spare parts can be available up to 7 years after the console is first put on the market, which is considerably longer than the warranty period.

Kieren Mayers (Sony) added that data shows most consoles are still functioning and in use. Consoles are highly durable which aligns with the ultimate aim of the Circular Economy legislation. Games consoles are a best practice example of performance and the SRI matches the level of ambition of other Directives. For instance, Lot 3 has not had improvements since 2013 and has no requirements for gaming PCs, whereas, the GCVA Signatories have done considerably more since then.

Noah Horowitz (NRDC) acknowledged great progress has been made to bring down standby power. He said Signatories have devices connected to the Internet, so they should have data on what mode people are using. He encouraged Signatories to find a way to gather this type of data (while maintaining confidentiality) and a way to roll-out data on energy consumption in Europe (he mentioned again Table 7 in the [US Set-Top Boxes 2019 Annual Report](#)⁹ as an example). He asked Microsoft to fix the way the standby mode information is displayed to consumers and asked all Signatories to work together to report the total energy use consumed by these devices.

Ted Eckert (Microsoft) replied his company will continue to work on it.

Ernestas Oldyrevas (ECOS) said he appreciated some efforts had been made to improve energy performance (e.g. suspend mode on new PS consoles), however he maintains his reservations on some of the Signatories' responses such as the SRI having fast review cycles vs. PC regulation. This regulation was adopted in 2013 and still introduced requirements that were forward-looking and entered into force quickly. There have been new requirements introduced since, such as for servers and data storage products. An overall practice of forward-looking requirements is still possible given the current review cycles of VA, so ECOS sees no reason why the SRI cannot introduce requirements that will only come into force in 2022-2023. On the issue of energy consumption and streaming, he said consumers are today actively encouraged to use consoles for streaming through advertising, so there should also be a warning message to consumers on the energy consumption related to using these devices for streaming. On the issue of instant on, he supports NRDC and added the technology exists to address this; while understanding certain adjustments in product design take a couple of years, the VA can still be forward-looking in setting the corresponding requirements. With regards to resource efficiency

⁹ <https://www.energy-efficiency.us/library/pdf/STB2019AnnualReport.pdf>

requirements, although he agrees that consoles are an overall durable product and consumers use them for long periods of time, given that consoles are sold in the tens of millions, it would be important to consider that all key product failures can be addressed thanks to stronger requirements and a more vibrant repair ecosystem overall (not only via authorised repairers), longer list of spare parts and availability of more than 2 years.

Kieren Mayers (Sony) thanked Mr. Oldyrevas for acknowledging that progress has been made. He said Lot 3 exempts gaming PCs which have no requirements at all on energy. The SRI review included from the start tiered power commitments like Lot 3, and moves quicker due to the two-year review cycle. There is a question mark on future technology (i.e. moving online, new consoles, etc.) and the SRI exists to move fast in accordance with this sector. He recognised the energy consumption of consoles when playing media, but added that PCs and gaming PCs consume more than other devices. He agreed that Signatories could reflect on how to better inform consumers about power use and low power modes and the impact of their choices on energy consumption. On spare parts, he pointed out that Signatories follow CENELEC in the process to select the specialised parts that require specialist knowledge (authorised repairers).

Noah Horowitz (NRDC) thanked Signatories for the opportunity to provide feedback and stressed the importance of Signatories following-up on their commitment to come back with a proposal on enhanced reporting and the Microsoft standby power issue.

Signatories agreed to discuss internally the points raised by stakeholders and to come back to the group at the next Steering Committee meeting (or earlier if possible).

5. Comments/Update from the European Commission

Ewout Deurwaarder (EC) gave the following comments/updates:

- He is the new policy officer for the SRI, taking over from Cesar Santos.
- He is new to the area of games consoles, but has previous experience working on Ecodesign.
- The Commission is working on the Sustainable Products Initiative (SPI) of which a key provision will be the revision of the Ecodesign Directive. The SPI will look at the circularity and impact of products in general, the potential of product passports, etc. The Commission plans to present the new SPI proposal at the end of this year (public consultation on the SPI until 9 June).
- He did not have a specific comment about VAs in the new regulatory framework and said that it was just one of the many aspects for the Commission to consider.
- With regard to the game console SRI, he said he will rely on comments made by colleagues in the Consultation Forum and reiterating the Commission continues to recognise the SRI, since there are no particular reasons not to do so. He noted Signatories had put a lot of effort in the last couple of months, and encouraged them to further incorporate stakeholder comments in the future.

Feriel Saouli (Cambre Associates, VA Administrator) added that Signatories were aware of the SPI consultation and were submitting a response as GCVA.

6. Adoption of SRI v 4.0

SRI version 4.0 was endorsed by the four voting members of the Steering Committee: the three Signatories and the Commission.

7. AOB and date of next Steering Committee meeting

There was no AOB put forward. Ferial Saouli (Cambre Associates, VA Administrator) said that the date of the second Steering Committee meeting in 2021 is still being discussed and will be confirmed in due course (probably towards the end of the year, as agreed by Mr. Deurwaarder).

8. End of meeting

Ted Eckert (Microsoft) thanked all participants for their comments and for taking the time to look at SRI v 4.0 and reiterated stakeholder comments will be taken into consideration for the 2022 review. The meeting ended at 17h40.

Actions

- VA Administrator to prepare and share the minutes of the current meeting.
- Sony to share its carbon impact assessment report with Mr. Horowitz.
- Signatories to discuss internally the points raised by stakeholders and to come back to the group at the next Steering Committee meeting (or earlier if possible):
 - How to better report/improve readability of data on the annual energy use of consoles in Europe on the GCVA website (look at Set-Top Boxes report as example).
 - Consider how to provide updates on duty-cycles and reporting on aggregated data on energy use and carbon impact associated to it.
 - Consider how to report numbers and/or % of users in the different cycle modes.
 - How to better report on media streaming and energy use.
 - Discuss the possibility to extend the availability of spare parts.
 - Microsoft to improve the way the standby mode information is displayed to consumers.
 - Reflect how to better inform consumers about power use and low power modes (impact of their choices).