



Mr Frans Timmermans  
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B-1049 Brussels

Brussels, 15 December 2016

## **Re: absence of Harmonised Standards under the Radio Equipment Directive**

Dear Commissioner,

We would like to bring to your attention the unacceptable situation facing manufacturers of radio equipment as well as products incorporating radio modules that would lose the benefit of legal certainty at the time of the application of the Radio Equipment Directive (RED 2014/53/EU), on 13 June 2017. Manufacturers and conformity assessment bodies need harmonised standards to be cited as soon as possible in the Official Journal (OJEU), so that they may be used in a timely fashion to demonstrate compliance with the requirements of the Directive.

We see increasing frustration building up among our members and Member States as just over six months before the repeal of the current R&TTE Directive, only 26 out of more than 200 Harmonised Standards are available for use after publication of their titles in the OJEU under the RED. To date, 89 standards adopted by ETSI are still awaiting the Commission's positive scrutiny. The lack of availability of Harmonised Standards was acknowledged by the Commission in its Impact Assessment of the RED Proposal (SWD(2012) 329 final).

This situation already entails unnecessary supplementary certification costs for our manufacturers to prove conformity with the Directive, as they are obliged to consult a notified body in the absence of Harmonised Standards for the use of the radio spectrum. It also brings design-to-market delays that are significantly exacerbated by the scarcity of notified conformity assessment bodies (47 have been notified under the RED compared to 75 under the current R&TTE). This would severely impact the competitiveness of a number of small and medium-sized enterprises which will be forced to bear the extra cost of additional conformity assessment procedures and which cannot afford to stop selling a major part of their products for several months or longer.

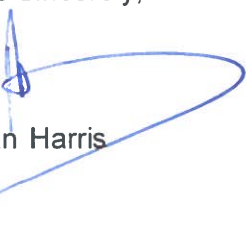
We therefore believe that this situation may hinder the free circulation of radio equipment in the Single Market, contrary to the ambitions expressed last year in the Single Market Strategy. Moreover, given the importance of radio equipment in implementing the Commission's Digitising EU industry agenda, the situation will no doubt negatively impact our industry's growth and competitiveness in the EU. And yet with our industry's rising output and employment, now standing at 1900 billion euro and 10.9 million respectively, we would expect to find a Commission focusing on being supportive in the context of Europe's core jobs and growth agenda.

*The European Engineering Industries Association*

Given the pace of EC compliance checks of adopted standards in accordance with its new self-established procedures, which we consider as over bureaucratic, we call on the European Commission either to postpone the application of the Directive for two more years or to urgently devise a solution, including with Member States authorities to reassure manufacturers of radio equipment that they will not face any legal uncertainty or risk being challenged by Market Surveillance authorities in the two coming years.

Thank you for considering our views on this important issue.

Yours sincerely,



Adrian Harris