

Brussels, 16 September 2011

## Orgalime comments on COM(2011) 315 final of 01/06/2011 on European Standardisation

Proposal for a **Regulation** of the European Parliament and of the Council on **European Standardisation** and amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/105/EC and 2009/23/EC of the European Parliament and of the Council  
COM(2011) 315 final of 01/06/2011

[http://ec.europa.eu/enterprise/policies/european-standards/files/standardization/com-2011-315\\_en.pdf](http://ec.europa.eu/enterprise/policies/european-standards/files/standardization/com-2011-315_en.pdf)

COD/2011/0150 – Rapporteur: Lara Comi

This position follows up Orgalime general comments on the Commission Communication “*A strategic vision for European standards: Moving forward to enhance and accelerate the sustainable growth of the European economy by 2020*” and Proposal for a Regulation on European standardisation. See our separate position paper entitled “[European standards: a useful tool for both the EU and companies, which deserves support with less bureaucracy](#)” (13/07/2011).

### 1. MAIN HIGHLIGHTS

**Standardisation serves different goals than law.** Orgalime supports strengthening the New Approach and extending its scope to help meet challenges such as climate change, sustainable resource use, etc. (Whereas 12), as long as the distinction between legislation and standards does not become blurred. It is essential to remember that only 20% of standards support companies to comply with European legislation and policies.

**Participation in standardisation work is as “appropriate” as stakeholders’ genuine interest and degree of expertise dedicated to it.** In Article 5, the requirement to establish an “appropriate representation” of stakeholders by categories appears unnecessarily bureaucratic and may end up as counterproductive and deter the voluntary participation of businesses. What standardisation needs is an active involvement by competent stakeholders.

**Transparency and inclusiveness of European standardisation must work both ways.** Orgalime welcomes the Commission’s annual Work Programme, which clarifies its priorities for standards in support of its policies and legislation (Article 6). However, Commission draft standardisation requests should be scrutinised by all relevant European stakeholders. In addition to organisations financially supported by the European Commission, this consultation should include relevant trade and industry federations in a meaningful process as foreseen in Article 1

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*Orgalime, the European Engineering Industries Association, speaks for 33 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 22 European countries. The industry employs some 9.7 million people in the EU and in 2010 accounted for some €1,510 billion of annual output. The industry not only represents some 28% of the output of manufactured products but also a third of the manufactured exports of the European Union.*

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paragraph 2 of the Treaty on the European Union ([OJEU C83/21 of 30/03/2010](#)). **Therefore we suggest the creation of a single consultative multi-stakeholder platform under Article 6.**

Orgalime believes that the **list of activities eligible for EU financing of other European Organisations** (Article 12) **is too comprehensive and not fully justified.**

**Annex III organisations cannot act as judge and jury, moreover, being asked to take over prerogatives usually reserved to legislators.** The early participation of authorities would ensure that public concerns are properly addressed. We believe that it would be a mistake to grant top-down check-and-balance rights to selected EC-funded organisations (Article 12-d).

**Standardisation could be faster, but adding bureaucratic requirements is counterproductive.** Orgalime supports the Commission's wish for a more efficient and rapid standardisation process. However, it is not appropriate to impose reporting requirements which will, in our view, without providing added value, slow down the standardisation process. These requirements could be very difficult to fulfil, for example the need for "**appropriate representation**" by 'categories' of participants. Practice shows that the range of interests of directly affected parties – following the market relevance principle – and their representation in technical committees vary considerably from one standardisation work item to another.

**Orgalime rejects** the idea of **possible Commission standardisation requests to "other bodies"** (Article 13 (1)(b)(i) in connection with Article 11 (1)(a)). Except in the ICT field for public procurement purposes, we believe that it is inappropriate to entrust bodies other than the ESOs to produce or revise European standards, all the more so as such bodies are neither specified in the proposal, nor subject to any of the requirements applying to ESOs or to bodies in the ICT field (cf. Annex II). As this situation would weaken the European standardisation system and undermine the strength of European industry on the international market, we therefore **call for the deletion of Article 13 (1)(b)(i)** of the draft Regulation.

## 2. SPECIFIC COMMENTS

Orgalime has **some comments** on **Whereas** n°2, 4, 12, 13, 15, 19, 26, 28, 29, 37; Articles n°2 (1)(b); 3(5); 4(3)(a); 5(1); 5(2); 7(1); 7(2); 7(3); 8(1); 8(4); merger of 9 with 10; 11(2)(b); 12(c); 12(d); 12(e); 13(1)(b)(i); 20(2)(a) and on **Annex II(c)(iii)** for which we are pleased to provide hereinafter some suggestions for improvement.

We firmly **call for the deletion** of **Whereas** n°14; **Articles** 13(4)(a)&(b); 19(1)(b), which entail wrong assumptions, or are based on a misunderstanding of the current functioning of the European standardisation system.

We also **suggest some missing provisions** to ensure the consistency of the draft Regulation on the standstill procedure under **Article 3** (6); Article 6(3) on the creation of a multi-stakeholder platform and Article 8 setting a reference to it.

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