



The Secretary General

Mr. Lamy
Member of the European Commission
EUROPEAN COMMISSION
200 rue de la Loi
1049 BRUSSELS

Brussels, 23 March 2004

Possible reforms to marking of origin legislation

Dear Commissioner,

Following the Commission's invitation to comment on whether our industry feels a need for reforms in the marking of origin legislation, we would like to confirm our position.

As you may know, Orgalime is the liaison group representing the interests of the European mechanical, electrical, electronic and metalworking (NACE categories: 28 to 35) industries at the level of the EU. Orgalime's members include, at the present time, 34 national trade federations representing some 130.000 companies in 23 European countries. These industries, which include mainly small and medium sized companies, employ some 7.3 million people and account for around 1.200 billion Euro in the GNP and one third of the industrial exports of the EU.

We understand that the current reflection process might lead to (i) a harmonisation of national legislation of EU member states, (ii) the introduction of an obligatory marking scheme for imported goods and (iii) the introduction of a "made in the EU" mark, on either a voluntary or obligatory basis.

Orgalime feels that the current national voluntary origin marking regimes are satisfactory and thus no new legislation at the EU level is necessary.* Any changes in legislation would only create additional costs and burdens for both industry and state authorities, and we do not feel that such changes would have significant effects with regard to the enforcement of Intellectual Property Rights.

Furthermore, we fear that a scheme of obligatory marking of origin for imported goods could lead to unwelcome tensions with the EU's trade partners.

Thanking you once again for consulting us.

A similar letter has been sent to your colleagues Commissioners Liikanen and Bolkestein.

Yours sincerely,


Adrian Harris.

CC: Messrs. Carl, Defraigne, Petriccione & Clarke (DG Trade)

* Please note that two member federations do not share this view: The Italian member ANIMA is in favour of obligatory marking of imported goods and the Czech member ELA is in favour of obligatory marking of all goods as well as the introduction of the "made in the EU" mark.