



Mr E. Liikanen
Member of the European Commission
Rue de la Loi 200
1049 Brussels

Brussels, 16 September 2003

Dear Commissioner,

Orgalime is the liaison group representing the interests of the European mechanical, electrical, electronic and metalworking industries at the level of the EU. Orgalime's members include, at the present time, 32 national trade federations representing some 130,000 companies in 21 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. As our industries in the year 2000 exported to Poland goods worth some 13 billion Euros, we are closely following Poland's willingness to comply with EU legislation.

Certification has long been an important issue between EU companies and Poland and many complaints have so far been lodged, especially from the engineering sector. Even if the reduced list of products subject to mandatory certification (dated May 2002) appeared to offer some relief in special areas, a large number of products still fall under mandatory certification in Poland.

Besides the fact that, according to our information, the list is not yet in force, Poland requires mandatory certification obligations for products, such as many types of machines, which in the EU are only subject to a manufacturer's declaration of conformity. Moreover, the Polish procedures for issuing certificates for EU products subject to a manufacturer's declaration of conformity are still not in line with Poland's obligations under Art. 5b) of the PECAA. This agreement stipulates that the Polish authorities will automatically deliver a certificate within a specific time. This is not respected.

It also appears that, for certain products subject to mandatory third party certification in the EU, Poland currently does not recognise all notified bodies in the EU and requests verification procedures to be carried out by Polish bodies. These Polish procedures are time-consuming and impose a considerable and unjustified financial burden on the companies concerned. They are also a violation of Poland's commitment under Art. 5 a) of the PECAA which states that Poland will accept the certification documents of EU notified bodies.

Orgalime believes that in the context of the accession of Poland to the EU, trade facilitation with Poland, along the lines of that achieved under PECA Agreements with other candidate countries, should already exist. Orgalime asks the European Commission in negotiations with their Polish counterparts to outline the European engineering industry's uncomfortable situation, to stress the need for predictability of bilateral trade for the remaining months before accession and to insist on fulfilment of obligations to which Poland has already subscribed. We very much hope that the Commission will, as guardian of the internal market, provide our industry with support in this area.

A copy of this letter has been sent to your colleagues Commissioners Verheugen and Lamy.

Yours sincerely,

Adrian Harris

Cc: Messrs Mingasson, Zourek, Vardakas, White, Ms. Cotter, Messrs Anselmann, Montoya, Wragg, Weller & Eardley.