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Strengthening the New Legislative Framework (NLF) Orgalim's Priorities for the 2026 Revision

Executive Summary

The New Legislative Framework (NLF) is widely considered a true success story of the European Union and the Single Market. Designed as the leading framework for horizontal definitions that apply across all product legislation, it serves as a template for product safety legislation – for products such as toys, electronics, and machinery – to ensure high safety standards. Nearly 20 years after its adoption, and with new market realities related to the digital and green transitions evolving a modernisation of the NLF framework is timely and needed.

As a great supporter of the NLF, Orgalim is fully invested in participating in the revision to strengthen the NLF and ensure its benefits continue to make a positive difference for businesses and consumers alike. This paper provides an outline of Orgalim's views on the upcoming revision, explaining which elements of the NLF should remain unchanged and which areas require modernisation. In particular, we believe that the upcoming revision should:

- Reconfirm the key principles of the NLF
- Introduce digital tools to simplify the fulfilment of product information obligations and facilitate market surveillance activities
- Clarify obligations for online marketplaces
- Support circularity by enhancing clarity in the NLF
- Level the playing field for conformity assessment bodies
- Establish an EU Market Surveillance Authority and improve safeguard procedures
- Ensure appropriate transition periods and guidance documents for the revised NLF to succeed

Introduction

Had it been designed today, the NLF would be called a simplification measure. Before its introduction, the system for placing products on the EU market was fragmented. It was based on the Global Approach and the New Approach, thus combining essential legal requirements with voluntary harmonised standards. However, it lacked a coherent, enforceable system for accreditation, market surveillance and control of imports. Looking back, the NLF has successfully streamlined and simplified processes for the placing on the market of products across all the EU Member

States, it has introduced uniform definitions, obligations and EU-wide accreditation rules, and has reinforced market surveillance, thus benefitting the global competitiveness of European industries abroad.

However, since its adoption nearly 20 years ago, new market realities related to the digital and green transitions have emerged. We have also witnessed growing trends to deviate from NLF principles across newly adopted Union harmonisation legislation, creating diverging definitions. In light of these developments, a modernisation is both timely and needed.

For the purposes of this paper, we consider that the NLF is comprised of Regulation (EC) 765/2008 on accreditation and Decision No 768/2008/EC on a common framework for the marketing of products. This is to align with the fact that, although officially part of the NLF, the Market Surveillance Regulation (EU) 2019/1020¹ is being revised separately.

The NLF, the Market Surveillance Regulation and the Standardisation Regulation (EC) 1025/2012² are closely interconnected. As all these Regulations and the Decision are under revision, it is important that any changes made to any of the legal instruments are also assessed in the context of the broader framework to ensure alignment and the seamless functioning of the Single Market. **Orgalim appreciates the initiative of the European Commission to present these revisions under a single package (the European Product Act) and supports keeping the Standardisation Regulation as a separate legal act in light of its scope and the fact that the actors involved are quite distinct.** Whether two, or even three acts are presented, coherence between them will be paramount. To ensure this, we would like to see alignment, including on timelines. From the side of the co-legislators, we would also welcome a single Rapporteur in the European Parliament, responsible for overseeing the entire package and ensuring its coherence. If this is not possible, one political group being responsible for the package would help to achieve coherence.

Furthermore, coherence with other new, or recently revised, legislation such as the General Product Safety Regulation (GPSR), the Union Customs Code (UCC) and the Digital Services Act (DSA) should be ensured to avoid inconsistencies and overlaps.

Elements that must remain unchanged through the revision process

Key principles of the NLF

Orgalim considers that the following key principles (in no specific order), laid down in Regulation (EC) 765/2008 and Decision 768/2008 and supported by the Blue Guide (v 2022), are essential parts of the NLF and the reason why it has been so successful. **We strongly believe any changes to the NLF should not affect these key principles:**

- The economic operator making the product available must verify that the product remains compliant with the applicable regulatory requirements (including that it is safe) accompanied by the required documentation and markings, and in conformity with the legal requirements applicable at the time it was placed on the market.
- Manufacturers are responsible for the conformity assessment procedure and for establishing the technical documentation of the product. They bear full responsibility for product conformity.

¹ For more information, see Orgalim's position paper "[Ensuring fairness for manufacturers and protecting consumers: Reinforcing the EU's market surveillance system](#)"

² For more information, see Orgalim's "[Key recommendations on European standardisation](#)"

- Essential requirements (in legislation) are separated from technical specifications (formulated in harmonised standards).
- Harmonised standards are not binding and retain their character of voluntary standards. If a manufacturer chooses to apply a harmonised standard published in the Official Journal of the European Union, they are granted presumption of conformity and Member States should presume that the product complies with the essential requirements stipulated in the legislation. Importantly however, even when using harmonised standards manufacturers remain fully responsible for assessing all the risks of their product in order to determine which essential (or other) requirements are relevant and which harmonised standards are suitable.
- Conformity assessment procedures follow the specified modules and are chosen in accordance with appropriateness, and with the type and degree of risk, as laid down in Decision 768/2008/EC (Article 4).
- Module A (internal production control) is a legitimate conformity assessment procedure as stipulated in Decision 768/2008/EC and it should remain the default conformity assessment procedure. Whether it is the right procedure to be used depends on the type and degree of risk and the level of safety required for the specific product category. Orgalim strongly objects to the interpretation that sees Module A as an 'opt-out' option from third party conformity assessment. According to the NLF, third party assessment is *not* the default option and internal production control is an *equal* conformity assessment procedure.
- The conformity assessment procedure is carried out before the product is placed on the market and takes into account intended use and reasonably foreseeable misuse.
- Where an EU Declaration of Conformity (DoC) is required, a single declaration shall be drawn up in respect of all Union acts applicable to the product, containing all information required for the identification of Union harmonisation legislation to which the declaration relates and giving the publication references of the acts concerned.
- Union harmonisation legislation is technology-neutral.

Elements of the NLF that should be modernised

Strengthened role for the NLF: introducing an NLF check

One of the main reasons why the NLF has been a successful tool is that it was designed as the **leading framework for horizontal definitions across all product legislation**. It serves as a template for product safety legislation – for products like toys, electronics, and machinery – to ensure high safety standards. This approach should be maintained and, going forward, we call on the co-legislators to be diligent in respecting this critically important function of the NLF. Its aim is to reduce divergences in EU product legislation and to simplify implementation by streamlining requirements and supporting stakeholders in understanding their obligations. Where possible, co-legislators should refrain from the introduction of new terms that are not defined in the NLF and should implement terminology consistently across legislation. By default, the NLF should serve as a central reference for the unambiguous definition of key terms. This would help ensure consistency and avoid discrepancies.

To reduce divergences from the NLF, Article 2 of Decision 768/2008/EC should be expanded as follows: *"If Union legislation departs from the general principles and provisions of Annexes I, II and III, or from other previously established legal principles, a recital shall be necessary to justify and explain the departure. The co-legislators, and the Commission as the guardian of the treaties, shall be responsible for ensuring that departure from the letter of the template are made only when necessary and that they are properly justified in a recital"*. It is our view that this **NLF 'check'** would ultimately result in better law-making.

Furthermore, we propose that the NLF check is carried out systematically by the European Commission's Regulatory Scrutiny Board (RSB) as part of its quality control on impact assessments put forward by the Commission and that deviations from NLF principles are already clearly outlined and explained at this stage of the procedure.

Horizontal definitions in the NLF, sector-specific definitions in product legislation

Sector-specific terms that cannot be defined horizontally, should be provided in sectoral legislation. Recently introduced horizontal regulations have introduced new terms; for example, the Cyber Resilience Act (CRA) introduced the term "open-source software steward". We understand the need to do this in special cases, but strongly advise against any re-definition of the term "economic operator". **Only sector-specific terms that cannot be defined horizontally should be provided in sectoral legislation.**

No need for new obligations for manufacturers

When it comes to the **obligations** for manufacturers, we believe that the obligations foreseen by the NLF are still fit for purpose and that **there is no need for an extension** of these obligations. If deviations from the obligations for economic operators exist in product specific legislation, they should be checked against the obligations described in the NLF and, if unjustified, they should be removed. This assessment could be part of the NLF check.

Digitalisation as a means to simplify product information obligations

Reacting to increased digitalisation, the Commission has various proposals – either on the table or in the pipeline – related to the digitalisation of information in EU product harmonisation legislation. They cover:

- digital instructions for use
- the digital EU DoC
- the "digital contact", and
- the digital CE marking.

In addition, a growing number of EU laws rely on the **Digital Product Passport (DPP)** to make product-related information digitally available, with substantial differences across the various "models" of DPP.

Orgalim calls on the co-legislators to take a holistic approach to this issue and ensure proportionality to avoid that the result of the various extensive requirements and obligations stemming from these uncoordinated activities will amount to an excessive burden on manufacturers.

Link between Omnibus IV & revision of the NLF

At the time this document is being drafted, the European Parliament and Council are negotiating the provisions on digitalisation and common specifications included in the Omnibus IV Simplification Package³. These provisions will modify, through selective horizontal amendments, a list of legal acts that are aligned with the NLF, with the objective of achieving simplification and reducing burdens on companies.

While we strongly support the initial intention, we note with regret some proposals that point in the opposite direction to simplification or have little to do with it. We would like to stress that no impact assessment was carried out in support of these initiatives and we therefore urge policymakers not to transfer elements that will be adopted in the Omnibus IV to the NLF proposal without first properly assessing the possible consequences.

Proportional introduction of a digital tool

³ [Omnibus IV Simplification Package](#), Proposal for a directive and a regulation as regards the digitalisation and alignment of common specifications

Orgalim strongly supports the move towards a data-driven society and sees long-term benefits of the digitalisation of compliance information for both businesses and consumers, such as the strengthening of the EU's market surveillance system which will help to uncover obvious cases of non-compliance. At the same time, it is difficult for our membership to clearly assess the full implications of specific DPP models currently under development because they are yet to be fully developed and implemented in real life.

For this reason we welcome the move towards a digitalised compliance and enforcement system that is in line with the following requirements:

Requirements of the system/data container:

- The digital tool under the NLF should be a product safety and compliance enforcement tool to provide non-sensitive data and documents digitally and to facilitate customs and market surveillance checks.
- It should be accessible via the manufacturer's website and, at least in its initial phase, managed by the manufacturer only (no admin rights given to other operators or authorities). However, manufacturers may choose to subcontract a third party to fulfil these obligations.
- It should be fully interoperable with DPPs required by other legislation (e.g. batteries, ESPR, etc.) There should be only one data carrier affixed on the product for all the data requirements related to the given product. The decision on which data carrier to use (e.g. QR code, barcode, NFC and RFID technologies) should depend on sector-specific standardisation and not be enshrined in the legislation. Reasonable flexibility of choice should be given to manufacturers in order to best address the nature of their specific products.
- It should not require a mandatory backup copy stored by a third party. This should not be considered as a necessary element, especially in light of its limited benefits as compared to its costs.
- It should apply only to the final product and not to its components.
- An appropriate transition period for the entry into application of the provisions on the DPP should be foreseen to give the opportunity to all stakeholders involved, and particularly SMEs, to set up the infrastructure.
- As also advocated in the case of the DPP under the ESPR⁴, a staged approach to the implementation of the digital tool is required. This will result in immediate benefits from 'low hanging fruits' (e.g. sharing static, non-sensitive data without differentiated access rights) while allowing the substantial costs of creating a more sophisticated system to be spread over a longer period of time.
- Until the DPP system has been fully established, there shouldn't be any obligation on manufacturers to implement it.
- Guidance on how to set up and operate a digital tool for NLF compliance objectives should be provided by the Commission, particularly to support SMEs in making the transition. Such guidance should be provided at the level of sector legislation to address the specificities of each sector.
- Interoperability of digital services must be ensured, including – where needed – the possibility to change to a different provider without the need for excessive requirements to transfer existing data.

Data requirements:

- At least in its initial phase, it should contain only static, non-sensitive data that can be made publicly available – such as digital instructions and safety information, manufacturer information, information on the EU representative and their mandate, declaration of conformity, publicly available information on certificates by third party conformity assessment bodies (e.g. certificate holder, certificate number, certified product, applied standard, etc.)

⁴ More information on Orgalim's approach to the DPP is available in the [Orgalim recommendations](#) on the ESPR DPP from February 2025

- Under no circumstances should technical documentation and test results be part of the digital tool. This information shall only be obtained by market surveillance authorities following a reasoned request.
- It should be technology-neutral and allow for the inclusion of additional voluntary information (e.g. sustainability certifications, physical product information for shipping such as weight, dimensions etc. when not already required by the relevant legislation)
- When information is required to be provided in the DPP, the respective paper requirements must be removed for all applicable regulations or directives.

Furthermore a thorough assessment should be carried out to establish whether the digital tool should apply to product types, batches or individual products, taking into consideration feasibility, costs and benefits, and real needs. The costs of setting up and maintaining the infrastructure of a full DPP system should not be underestimated and will be almost entirely borne by manufacturers.

Digital access to instructions and safety information

Orgalim supports the provision of instructions for use in digital form. Provision of instructions by digital means ensures constant accessibility, makes it easier to update them and avoids the practical issues of paper being lost, non-searchable, not accessible by all users and creating a burden for companies. Paper documentation has become obsolete both economically and ecologically. Digital documentation enables efficient retrieval, reduces administrative overheads, and minimises environmental impact. While it requires appropriate infrastructure and cybersecurity safeguards, the benefits of searchability, reliability, and sustainability clearly outweigh potential shortcomings. However, recent legislative initiatives aimed at supporting the transition towards digital instructions have been significantly obstructed by attempts to keep a strong paper-based approach, particularly for consumer products or products that can be used by consumers. We understand the need to keep the possibility for the end user to request a paper version at the time of purchase or up to six months after that purchase. However, longer time frames for the request of instructions or proposals to have a dedicated phone number to request such paper copies risk jeopardising the initial intent and the expected digitalisation benefits.

Digital CE marking: it is not time yet

The Commission's report on the evaluation of the NLF indicated that a possible future impact assessment of the NLF should consider introducing the possibility of the digital CE marking. CE marking is mandatory for a wide range of products. It demonstrates that a manufacturer has carried out a conformity assessment procedure and declared the product conforms with all the relevant EU requirements. It is widely understood by both manufacturers and authorities and is therefore an essential tool to facilitate the free movement of goods within the single market. The CE marking also has a role outside the EU, since it is legally mandatory in some countries (EEA, Turkey), or legally recognised by agreement (Switzerland, UK) or used as a regulatory reliance tool and in these cases it needs to be affixed to the product. Furthermore, the Commission study entitled "[Supporting Study for the evaluation of certain aspects of the New Legislative Framework \(Decision No 768/2008/EC and Regulation \(EC\) No 765/2008\)](#)" found that the CE marking is a strong indicator of EU competitiveness globally.

In light of all of the above, Orgalim believes that it is not yet time to move towards a digital CE marking, as this would undermine its value. We believe that, for the time being, the CE marking should remain affixed to the product or packaging. Manufacturers should have the possibility to decide whether they would like to add it to the DPP on a voluntary basis. This approach should be revised after a certain number of years from the entry into force of the NLF legislation to check whether the conditions have changed and the market is ready to move toward a digital CE marking.

Clarifying obligations for online marketplaces

Online marketplaces are not currently defined in the NLF as such, but they may fall under the definition of importer or distributor if they themselves place, or make products available, on the EU market.

Because of the exponential growth of online sales, they play an increasingly significant role in the buying and selling of products and they have responsibilities under multiple pieces of EU legislation (DSA, GPSR, E-Commerce Directive, Toys Regulation, Market Surveillance Regulation, to mention a few) in addition to the responsibilities under the NLF. Before considering changes to the obligations of online marketplaces, their existing obligations must first be clarified. We would therefore **support a further clarification of the existing responsibilities of online marketplaces by way of the European Product Act, complemented by additional guidelines on marketplaces' legal obligations.**

When it comes to market surveillance activities, the digitalisation of product compliance information for products sold online will help authorities to identify obvious cases of non-compliant products. **Orgalim supports the principle that, in Europe, what is illegal offline should also be illegal online and, following the same logic, what is required in terms of accompanying compliance information for products sold offline, should also be applied to products sold online.**

One disturbing consequence of the surge in online sales, which flies in the face of the above principle, has been the relative increase of products without an EU authorised representative, or with one without a mandate for the products in question. This creates an enforcement gap as there is no one to whom MSAs can direct their requests to provide the relevant information demonstrating the conformity of the product, nor is there anyone who can take the necessary, corrective measures in cases of non-compliance. One way to address this could be to establish a mandatory registry for EU authorised representatives where they must also acknowledge their mandates. Creating a registry would level the playing field vis-à-vis European companies that already have to be registered (albeit on other registries), while requiring EU authorised representatives to confirm their mandates would guarantee that someone in the EU is ultimately responsible for the product. During the revision process, consideration should be given to who falls within the definition of an EU authorised representative; for example policymakers should consider whether fulfilment service providers or even importers should be brought within this definition.

Giving market surveillance authorities the possibility to review certain product compliance information directly by accessing the DPP of the product sold online instead of having to make a request to the EU authorised representative will certainly facilitate initial checks. However, as for products sold offline, technical documentation should not be included in this compliance tool and should only be handed over upon request of the responsible authorities (see our messages on the proportional introduction of a digital tool).

Supporting circularity by enhancing clarity in the NLF

Until now, the purpose of the NLF has been to create a coherent system to set up legislation to ensure that a product is safe and compliant at the moment it is first made available on the EU market. The revision of the legislation aims at expanding this purpose to better address the circular economy objectives during the entire product life cycle. To do so however, legislators have the challenging task of defining terms such as refurbishment and remanufacturing and defining obligations for economic operators placing products on the market, or making the product available, that perform one or the other operation.

The ESPR definitions of these two terms are a first step in the direction of providing clarity. However they are very broad (e.g. the definition of refurbishment encompasses actions that go from simple preparation or cleaning of the product to repairing and thus replacing parts) and leave important questions unanswered. Overall, **Orgalim acknowledges the challenge of distinguishing between refurbished and remanufactured products**, particularly when the operations are not carried out by the original manufacturer. The implementation of requirements and

responsibilities in case of malfunctioning affecting the safety of the product depends on a clear distinction between refurbished and remanufactured products – but drawing the line is very difficult.

We further acknowledge that specific situations need to be addressed in order to support the circularity objectives and avoid contradictions. For example, in the case of products placed on the market in the past and including chemical substances that have in the meantime been restricted or limited by updated legislation, a substantial modification requiring a new conformity assessment would prevent them from being placed on the market again. In contrast, a refurbishment which does not require a new conformity assessment, would be allowed.

Furthermore, we are concerned that, even assuming a clear definition exists, the assessment is currently left to the judgement of the economic operator performing the overhaul (refurbishment/remanufacturing) alone and – if wrongly attributed – could lead to lengthy and costly court cases.

When it comes to **refurbishment**, we believe the following should be agreed:

- No additional obligations should apply if the refurbishment is carried out by the original manufacturer
- The refurbisher is responsible for the refurbished parts and for the act of refurbishing, which includes possible unintended damages to the non-refurbished parts during, or caused by, the refurbishment process. Nevertheless, the needs of different sectors may require a different approach, which must be assessed at the level of specific sectoral legislation.
- **No mandatory third party certification** should be required. This horizontal requirement would be excessive. Specific needs for such an obligation could be addressed in sector legislation (e.g. for products intended for explosive atmospheres (ATEX)).
- Similarly, **no mandatory internal risk analysis** should be required. However, for products of high value, or high environmental impact, the refurbisher should be required to assess and confirm that no substantial modification has been carried out.
- **No new conformity assessment** should be mandated. As long as a refurbished product does not undergo a substantial modification, then it does not need a new conformity assessment as this would result in an unnecessary burden, additional costs and increased time to market –which would jeopardise the ultimate goal of supporting circularity.

Incentivising the circular economy: spare parts

Spare parts falling within the scope of an NLF legislative act must currently comply with the same state of the art requirements as newly manufactured products. In practice, this causes **significant problems**. Spare parts are often intended for products that were originally placed on the market under earlier standards and legal requirements. Aligning them with today's state of the art is technically impossible. As a result, maintaining technical systems — both in the private sector and in critical public infrastructure — becomes increasingly difficult. In some cases, systems risk being decommissioned because identical spare parts are no longer available. Repairs of products are also hindered, their spare parts availability is restricted, and sustainability objectives are undermined. Yet spare parts are a central component of a functioning circular economy and a precondition for implementing the Right to Repair. They extend product lifecycles and reduce waste.

We therefore recommend introducing a spare parts exemption under the NLF, based on the repair-as-produced principle: The legal text could read as follows: *"This Regulation shall not apply to spare parts made available on the market to replace identical components in products to be repaired and manufactured according to the same specifications as the components they are intended to replace, unless they pose significant risks to health, safety or the environment."*

Levelling the playing field for conformity assessment bodies

The NLF sets out rules on accreditation for conformity assessment bodies, with Chapter R4 of the Annex of Decision No 768/2008/EC providing extensive reference provisions related to the notification of conformity assessment bodies, including, amongst other provisions, the procedure for notification, and the requirements relating to, and obligations on, both notifying authorities and notified bodies (NB). It is our view that the set of standards under EN ISO/IEC 17xxx should continue to form the normative basis for requirements of conformity assessment bodies and for accreditation to achieve consistency with international requirements and avoid technical barriers to trade. Member States should not implement individual requirements for conformity assessment bodies that go beyond the requirements for accreditation and should rather act accordingly in cases where conformity assessment bodies implement such requirements on their own.

Oversight and accountability

In line with the conclusions of the Commission's evaluation report, Orgalim believes that the existing rules can be improved to strengthen the accountability of notified bodies. Notably, the Commission should have the authority to act against a notified body if there is evidence that such a body is not complying with NLF requirements. For the Commission to be able to act, Orgalim believes that it should also be granted investigative powers, provided that these powers are well defined and triggers to act are clearly identified.

In addition, stricter rules for the periodic reassessment of notified bodies should be implemented, such as mandatory timelines for notifying authorities to complete these assessments, stricter requirements for the expertise of the staff, and specific assessment of the professional integrity of the notified body.

Levelling the competence of notified bodies

Within the existing rules, Orgalim proposes to make better use of the peer reviews among accreditation bodies and believes that this is needed in order to improve the level playing field across notified bodies, notably when it comes to competences. We suggest that accreditation bodies should focus on requirements for notified bodies to participate in Notified Bodies Groups (ref. EA2-17) and on their participation in round-robin testing⁵. In their peer reviews, accreditation bodies should include the participation of notified bodies in the above-mentioned activities and their assessment of such activities. Furthermore, peer reviews by accreditation bodies should include small sector-specific areas. Even though the economic value of small sectors may be low, the quality of third party assessments has tremendous importance for the level playing field of that specific sector.

Outsourcing

The Commission's evaluation report of the NLF identified some issues of concern, notably concerning non-EU owned conformity assessment bodies, and a tendency for them to set up subsidiaries in the EU which are then formally recognised as notified bodies. These letterbox companies may have no permanent full-time staff in the notifying Member State and can be fully dependent on the services subcontracted from their non-EU based mother companies. This has raised concerns about the untransparent transfer of sensitive information outside the borders of the EU without proper notification, as well as on reliability.

Orgalim believes that notified bodies should be required to keep key certification decisions in-house and carry out a minimum set of tasks without subcontracting. Furthermore, they should be able to demonstrate an ability to carry out tests using minimum in-house technical equipment.

⁵ Round-robin testing is a quality control method where multiple independent laboratories perform the same test on identical samples to ensure consistency and accuracy across different labs and devices. This 'interlaboratory study' helps validate measurement procedures, assess the accuracy of individual labs, and identify shortcomings in a protocol or method.

Accreditation

Orgalim supports accreditation as the preferred means to ensure consistency in competence levels across notified bodies. Accreditation also has the added advantage of resulting in international recognition of their competency. However, in order to ensure sufficient availability of services and to control costs, we also accept notifications by the Member States as a valuable alternative, if their quality is guaranteed.

Establishing an EU Market Surveillance Authority: improving enforcement and safeguard procedures

In line with our position on the revision of the Market Surveillance Regulation, we see an opportunity to strengthen enforcement actions in cases of non-compliant and/or unsafe products through the establishment of an EU Market Surveillance Authority that could better integrate the EU's market surveillance system. If properly set up, and with its mandate and powers clearly defined, this authority could strengthen coordination between Member States. One obstacle to the uniform enforcement of CE marking regulations across the single market is the differing interpretation of the provisions and requirements by national authorities. The exchange of information within the AdCo committees is clearly insufficient to remove, or even mitigate, these differences. Greater coordination by the Commission could contribute significantly to enabling national authorities to better align themselves with a common understanding when making decisions regarding the conformity of a product.

Furthermore, even though it is clear that Member State authorities must remain responsible for performing the majority of market surveillance activities, the European authority could be tasked with investigating and evaluating the business-to-business sector and general non-compliance, in particular concerning sustainability requirements.

Ensuring appropriate transition periods and guidance documents will be key

Amending the NLF means changing the core legislation which is at the centre of compliance processes in every manufacturing company in Europe. It will also imply the subsequent amendment of 30 existing NLF-aligned legislations. This will require substantive efforts both in terms of material costs and of mentality shifts to align with the new logic. In addition, the revisions of the market surveillance regulation and the standardisation regulation increase the complexity and the level of efforts required of industry.

The significant impact and inevitable disruption this revision will have on the way in which goods are placed and made available on the market should not be underestimated, and appropriate transition periods should therefore be envisaged.

In addition, updated guidance documents endorsed by the Commission, such as the Blue Guide, are very welcome. Horizontal guidance that supports manufacturers, especially SMEs, to identify which regulations apply in specific cases and how they interact, is needed. The relationship between the NLF and other horizontal product regulations such as CRA, ESPR and the AI Act, as well as adjacent regulations such as REACH, would need to be further clarified. The Commission should be mindful that a major reason for non-compliance is a lack of understanding, which makes good guidance essential.

About Orgalim

Orgalim represents Europe's technology industries, comprised of 770,000 innovative companies spanning the mechanical engineering, electrical engineering, electronics, ICT and metal technology branches. Together they represent the EU's largest manufacturing sector, generating annual turnover of over €2,835 billion, manufacturing one third of all European exports and providing 11.7 million direct jobs.

Links to Orgalim publications

- Orgalim's position paper on [The European Product Act 10 proposals to upgrade market surveillance](#)
- Orgalim's position paper on [Seizing the full potential of digital product information](#)
- Orgalim position paper on [Ensuring fairness for manufacturers and protecting consumers: Reinforcing the EU's market surveillance system](#)
- Orgalim recommendation [for a staged implementation of the Digital Product Passport \(DPP\) system in the context of the Ecodesign for Sustainable Products Regulation \(ESPR\)](#)
- Orgalim paper on [Enhancing EU manufacturing competitiveness with a futureproof approach to placing products on the Single Market](#).
- [Orgalim Policy Agenda](#) for a European high-tech manufacturing base
- Orgalim [Key Recommendations on the Single Market](#)
- Orgalim [Key Recommendations on Trade Policy](#)

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