



NOTAT

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The Danish Government's response to the public consultation on the Commission's proposal on a new guidance on the practical aspects of the implementation of the European Standardisation Regulation

International standards are vital to the better regulation agenda

Denmark welcomes the opportunity to comment on the Commission's proposal on a new guidance on the practical aspects of the implementation of the European Standardisation Regulation.

The Danish Government is a strong supporter of the better regulation agenda and acknowledges that the European Commission is likewise determined to ensure that its' proposals meet policy goals at minimum cost and deliver maximum benefits to citizens, businesses and workers while avoiding all unnecessary regulatory burdens. This is key to support and ensure competitiveness in the global economy and continued job growth in the EU while maintaining social and environmental sustainability.

European standards, including harmonised standards, play a key role in simplifying EU regulation and reducing burdens and costs for businesses and is thus integral to the better regulation agenda. For this reason, European standardisation is an important tool in relation to the better regulation agenda.

European standards replace potentially contradictory national standards in Member States, thus decreasing burdens for businesses, especially SMEs. Businesses are able to sell their products or services throughout the single market with almost 500 million consumers without further customisation through the use of the CE mark. European businesses can in general choose to use a harmonised standard to document that their products to comply with a given European law (presumption of conformity). Furthermore, standards are regularly updated to include and disseminate new knowledge and technology, which stimulates innovation and competition.

For these reasons, it is essential that the European standardisation system is able to keep pace with the technological development and that standards continue to be a relevant, useful and attractive tool for European businesses.

Concerns about the proposed new guidance

The Danish business and industry sector have expressed concern that the Commission's proposal on a new guidance on the practical aspects of the implementation of the European Standardisation Regulation threatens to undermine the efficiency of the current European standardisation system and thus cause significant burdens to businesses across Europe.

The Danish government acknowledges the relation between harmonised standards and European legislation but encourages the Commission to maintain and respect the original division of roles within the New Approach. This division ensures that the Commission sets the overall goals whereas participants from businesses and organisations are responsible for developing and setting frames and requirements for the more specific and concrete technical aspects of international standards.

The Danish government encourages the Commission to engage in a constructive dialogue with member states in order to work on a solution, which does not undermine the European standardisation system.

It remains unclear how the new working methods and processes introduced in the Commission's new guidance will be implemented in the standardisation system and what their implications might be.

Among other things, the following aspects are of special concern for the Danish government:

Expiry dates

From a Danish perspective, it is problematic that all future harmonised standards currently being developed are based on temporary mandates with a fixed expiry date. In practice, this will imply that when the mandate expires, the standards covered by the mandate becomes invalid. This creates general uncertainty about the status of the standard. It is crucial that there are valid standardisation mandates on which standards can continuously be

harmonised, developed, and revised. It is currently unclear what the consequences are for the presumption of conformity with the relevant regulation if a mandate for the harmonised standards expires. In addition, it remains unclear what will happen with the standards. This needs to be clarified moving forward.

Degree of detail

Mandates in the new format are very detailed and in some cases have included very specific technical details or an exhaustive list. It is problematic if the mandates become too detailed and rigid, as this might result in the standards being irrelevant for industry to adopt. It is important to ensure that there is a certain degree of freedom in the development of standards in order to ensure market and consumer relevance.

The new set-up requires mandates to be developed for revision and updating of existing standards. Together with the introduction of expiry dates, this will potentially create major pressure and work-load on the Commission and the standardisation system that will be very burdensome for all stakeholders and potentially make international standards a less attractive and effective tool for businesses.

Handling of formal objections

The Danish government would also invite the Commission to look into the process regarding formal objections on specific standards. This should be addressed which might be in the form of a more formal procedures and deadlines in handling objections, to ensure an efficient and timely handling of these.

Planning of meetings

The Danish government would also ask the Commission to take into consideration optimal and efficient use of the resources of the members of standardisation committees, when planning meetings regarding standardisation. Specifically, the current approach to writing of eco-standards, where one meeting covers several non-related issues cause considerable pressure on national standardisation experts.