

Technical standards and regulations: procedure for the provision of information. Codification

1996/0300(COD) - 17/07/2015 - Follow-up document

This report analyses the application of the procedures laid down by Directive 98/34/EC from 2011 to 2013 as regards technical regulations and for 2011 and 2012 as regards standards. It highlights the important contribution of the notification procedure to the functioning of the single market and to the implementation of the Better Regulation policy.

1) Standardisation: the report describes the operation of the standardisation part of Directive 98/34/EC covering three main activities: (i) the information procedure on standards, (ii) Commission requests to the European Standards Organisations for standardisation work (mandates), and formal objections against standards supporting New Approach Directives. Statistics cover the period 2011-2012, as the standardisation part of Directive 98/34/EC was repealed as of 1 January 2013 by [Regulation \(EU\) No 1025/2012](#) on European standardisation.

- **Information procedure:** the information procedure still plays an **important role** in encouraging national standardisation bodies to bring their initiatives to the European level, thus encouraging the single market and European harmonisation. Notifications from EU 12 Member States are stable which can be considered as a good sign of their integration in the system.

The number of notifications made by the EU27 countries continued to be stable with **between 1750 and 2000 notifications per year**. The construction sector continues to dominate the national notifications in CEN, followed by food products and petroleum products. In CENELEC, electrical accessories, electric cables, and electrical installations in buildings have been significant subsectors.

- **Mandates:** the report notes that the process of mandating is **well established** and is today governed by Regulation (EU) No 1025/2012. The informal consultation of the ESOs and all interested parties (in particular those European stakeholders representing the users of future standards) prior to the consultation of the Committee on Standards and Technical Regulations is essential.

To improve transparency, the Commission services continued in the reporting period in the practice introduced in 2006 to invite the European standardisation stakeholders ANEC, ECOS, ETUIREHS and NORMAPME, to participate in its enlarged meeting.

The Commission considers that the process of mandating has proved to be instrumental in **enlarging the role of standardisation in new areas of EU legislation and policy**. Mandates supporting [Directive 2009/125/EC \(the Ecodesign Directive\)](#), aimed at products such as household dishwashers, lamps, air conditioners, pumps or fans, have been a major contributor in increasing the number of mandates.

- **Formal objections:** the procedure in general **has worked adequately**. Compared to the previous reporting period, the process from receiving the objection to issuing the Decision was shortened significantly in 2011 and 2012.

In a similar way to the mandates, and for the sake of transparency, the Commission makes decisions on formal objections public in a consolidated way, and makes an updated table of the actions in relation to the formal objections available to the Committee on Standards and Technical Regulations at each meeting.

2) Technical regulations: the **98/34 notification procedure** for national technical regulations allows the Commission and the Member States of the EU to examine preventively the technical regulations Member States intend to introduce for products (industrial, agricultural and fishery) and for Information Society services.

From 2011 to 2013, the Commission received **2114 notifications** (675 in 2011, 734 in 2012 and 705 in 2013). As in the previous reporting period, the construction sector saw the highest number of notifications over the reporting period, with many measures relating to energy efficiency of buildings and concrete structures, road pavements and constituent materials, fire safety of buildings. **Agricultural products, foodstuffs and beverages** again followed construction, whilst notifications increased in the **telecommunications and in the environment** sectors.

The report concludes that **during the period 2011-2013, the usefulness of the procedure has again been confirmed** in terms of effectiveness, transparency and administrative cooperation.

The Commission considers that the preventive and networking approach of the 98/34 procedure has substantially reduced the risk of national regulatory activities being carried out in a way that would create technical barriers to the free movement of goods within the internal market. The 98/34 procedure has also confirmed its usefulness in providing the possibility to identify areas where harmonisation at EU level might be an option.

When applying Directive 98/34/EC the Commission remains vigilant **regarding the principle of better regulation** and the need to sustain a favourable environment for the competitiveness of the European economy. Notified drafts continue to be available electronically, free of charge and in all the official languages of the EU, thus providing the opportunity for economic operators and other stakeholders to comment on them.

Efforts will continue in order to ensure **a clear legal framework for economic operators** aiming at enhancing the competitiveness of European enterprises in the EU and abroad.

In its [resolution of 15 January 2014](#) entitled 'Reindustrialising Europe to promote competitiveness and sustainability', the European Parliament encouraged further exploitation of the potential of the 98/34 notification procedure.