

The EU single market is the precious engine of EU's competitiveness on the global arena, but the single market cannot be taken for granted.

To make the European Union able to compete in a fierce global race, we need to ensure that the European engine, the single market, runs smoothly and none of its essential components are about to fail. The devil, however, is often in the details and components have the talent to remain unnoticeable until the moment they stop working and bring the whole machine to a halt.

One example is the world of standards which can be mysterious, there is no doubt. Having hundreds of pages to define how dirty the glasses in the dishwasher shall be, how full a vacuum cleaner is or what is the process to recycle an old air conditioner requires some of humans' most precious resources - solid knowledge, time and dedication. The benefits are safe and loyal products, the making of which provides better lifestyles, gives jobs and ranks the "made in Europe" tag high.

We experience **a gap between EU legislation and the supporting standards**. This makes the legal situation unclear for companies and it takes away the tools market surveillance authorities need to ensure fair competition among all players and to secure the rights and safety of consumers.

It eventually brings the EU single market to a slow down, or to hold back the motor of the EU which is the basis of our successful global competition.

The European Single Market is the most relevant asset that has been built in Europe in the past decades. And while a silver anniversary in a marriage means that things function well together, unfortunately the marriage between standardisation and legislation currently looks different.

The Von der Leyen's Commission has started with big promises and hopes - for a European Green Deal and Europe fit for the digital age. That can deliver a real circular economy and ensure a global competitiveness for the EU. We are a couple of standards away. Only if we maintain and take care of the components can the bigger machine work well.

Sincerely yours,

Paolo Falcioni
Director-General, APPLiA

BACKGROUND

The Link between standardisation and legislation

For over thirty years the EU Single market builds on the principle of sharing workload based on competence between the legislator and technical experts in European standardisation. This approach has been formalized in 2008 as the New Legislative Framework (Regulation 765/2008, Decision 768/2008) and it has continued to be a success story for Europe.

The main pillars of this New Legislative framework are:

- The Legislators sets essential requirements based on societal needs;
- EU standardization organization fill in the necessary details by harmonised standards;
- Manufacturers are held responsible for their products;
- Market Surveillance ensures conformity.

The **link** between the first two pillars, i.e. the legal requirements and standards is realized by publishing references on the official journal of the EU to standards the employment of which ensures conformity with the legal requirements. Such Standards are often called "**listed standards**".

"Listed Standards" are the key success factor for the Single Market to the benefit of all EU stakeholders, because

- They provide a common understanding of legal requirements across all member states
- They are based on full international Consensus between standardizers, companies, consumer representatives and legislator
- They facilitate Market surveillance for member states and ensure enforcement of EU legal requirements
- They ensure involvement of Consumers by law
- They provide legal certainty for Industry, thus being an incentive to invest in ESOs
- They provide clarity for necessary risk assessments

As a summary it is safe to say: **More listed standards are an European Asset!**

The Gap between standardisation and legislation

However, Home Appliances currently faces for many relevant standards the situation that the listing is delayed or not taking place for undefined time.

For instance, all of our connected appliances fall now under the Radio Equipment Directive 2014/53/EU, and here none of the relevant safety standards already in place since decades under the Low Voltage Directive have been listed. With the consequences explained in the chapter above.

In other words, the link between standardisation and legislation is broken!

The Single Market is at risk!

The Solution to close the gap

We call all players to ensure that as many standards as possible become listed in the official journal. Amongst others the Commission has to **ensure a maximum time frame** for listing and to **streamline in a transparent way the rules regarding** the publication.

BACKGROUND

Clearly the devil is in the detail, and thorough work is needed. We therefore welcome that the Commission (COM(2018)764) wants to work with all stakeholders on practical aspects of the overall matter. Yet we fear, clarifying practical aspects might be a start but not enough.

APPLiA has identified key success factors for the three different cases in which the listing process may be hampered:

Improve Transparency

- Make Role of CCMC more transparent;
- Publish timeline for listing (with reference to time limit of Art 10.1, Regulation 1025/2012) Best practice ETSI work plan.

Increase Speed

- Agree on Time limits (either through guidelines, communication, changes in 1025/2012)
- Listing on Standardisation Request (Art 10, Regulation 1025/2012):
Time for verification of meeting the requirements (Art 10.6, first sentence)
- Formal Objection Art 11:
Time Limit for COM decision on FO (Art 11.4)
- In general, faster standardization process and immediate OJEU citation.

Boost operational excellence

- Create working team for each Standard to be listed;
- Involve in meetings HASCons, ESOs (issue manager und WGs), CCMC, COM DOs, NGOs,...;
- Tackle the three listing cases with separate process improvements:
 - *Case 1 - Update of an existing standard*
Ideally IEC equals EN, the less Common Modification the better
Synchronise Workstream with ISO/IEC
Documentation of Target / Achieved OJ listing (best practice ETSI)
 - *Case 2 - Introduction of new standard*
Same as above plus
Clear rules for formulation of standardisation request
Clear rules for rejection
 - *Case 3 - Formal Objection*
Scheduled procedure, decision within limited time frame in CoS
Precise formulation of issue (weaknesses)
Only delisting of critical part (with FO) ensure listing of main parts (with FO relevant restrictions)

The Home Appliance Industry can offer detailed ideas for improving the situation. Therefore, we offer an open dialogue to share our ideas and to jointly reinstall the EU Single market for Home Appliances.

For more details please contact Michal Zakrzewski - Smart Living & Competitiveness Policy Director, APPLiA at michal.zakrzewski@applia-europe.eu.

APPLiA - Home Appliance Europe represents home appliance manufacturers from across Europe. By promoting innovative, sustainable policies and solutions for EU homes, APPLiA has helped build the sector into an economic powerhouse, with an annual turnover of EUR 53 billion, investing over EUR 1.6 billion in R&D activities and creating nearly 1 million jobs.

