

Joint statement on the Commission's proposal on Common Specifications

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We, the undersigned, collectively representing industry in different sectors – the main stakeholder contributing to the development of European standards are writing to you to express our serious reservations regarding the [proposal for a directive and a regulation as regards the digitalisation and alignment of common specifications](#).

While we fully support the European Commission's objective to modernise and accelerate the standardisation system, we strongly believe that the proposed provisions on common specifications would lead to the emergence of a parallel structure. This will further undermine the public-private partnership that has successfully and consistently contributed to an open, inclusive, transparent and industry-led European standardisation system.

- **Common specifications risk weakening Europe's global leadership position**, leading to market fragmentation and reducing the competitiveness of European companies because it risks diverting from reference international frameworks (ISO, IEC and ITU). Instead, starting the setting of standards at an international level is not only contributing to the European Standardisation Strategy, but it also gives European companies a global competitive edge that will otherwise be lost.¹ Rather

¹ It is already alarming that proposals for digital product passport (DPP) standards are pushed from non-European stakeholders at ISO level. Common specifications will further disincentivise European stakeholders.

than reducing alignment with ISO, IEC and ITU, Europe should further invest in collaboration with like-minded international standards developing organisations (SDOs).

In addition, common specifications would be a serious technical barrier to trade as described in the WTO TBT agreement, and a serious breach of Europe's commitment to the convergence of European requirements with international standards, as mentioned in most bilateral trade agreements signed by the EU. This would undermine international businesses' ability to place their products on the EU market based on the latest innovations.

- **Common specifications do not address some of the root causes of delay.** While we agree that ESOs processes can be further streamlined for faster delivery of harmonised standards, the key challenges include:
 - Unrealistic setting of applicability dates² and a long process of adopting standardisation requests.
 - More importantly, the continuous delay in citing harmonised standards in the Official Journal of the EU can be attributed to the constraints of the HAS process³ during HAS assessment and final checks carried out by European Commission Policy Desk Officers.

Resolving these two issues would significantly contribute to the delivery of harmonised standards and provide companies with the means to conform with legislation on time.

- **The financial implications on the European Commission and Member States** associated with the development or adoption of common specifications have not been thoroughly investigated. The expertise necessary to prepare the required specifications and to safeguard their acceptance is gathered in CEN, CENELEC and ETSI. Any system trying to reach the same level of expertise, openness and transparency will inevitably create a parallel structure. Instead of duplicating efforts, the Commission should invest the resources to fund pre-standardisation work (standardisation requests) and optimise the citation of the standards in the Official Journal. This will further streamline the European standardisation system.
- **The process for adopting common specifications remains unclear and untransparent.**⁴ Where there is a need for alternative methods,⁵ the Commission can use existing inclusive, transparent and stakeholder-driven processes defined in Arts 13-14 of the Standardisation Regulation. It is essential to clarify the conditions, processes and stakeholder involvement under which common specifications may be developed and used.

Alternatively, if common specifications are to be considered, they can benefit from a harmonised approach which asserts very clearly their 'fallback' nature under strict criteria that do not allow for the establishment of a parallel system. There is a need to align the common specification proposal with the Machinery

² As seen with RED cybersecurity standards and the AI Act.

³ https://boss.cen.eu/developingdeliverables/pages/en/pages/has_assessment_process/. On average, only 19% of assessed harmonised standards were approved by the HAS process as of August 2022.

⁴ It is not clear when common specifications are triggered, who would develop them and how the Standardisation Regulation's (Regulation (EU) No 1025/2012) founding principles (openness, inclusiveness, quality, transparency and consensus among all stakeholders) are respected.

⁵ The proposal mentions four cases: harmonised standards do not exist, are not available, are not sufficient or there is an urgent need.

Regulation.⁶ When including common specification provisions in legislation, only as a fallback option, we call for a consistent approach where the wording of Art. 20 Machinery Regulation is used as the blueprint.

Therefore, we recommend that the Commission reconsider the current approach to common specifications. We urge the Commission instead to priorities efforts to improve and accelerate the existing European Standardisation System, including addressing the delays caused by constraints in the HAS consultant system. The industry is ready to work with the commission to find appropriate solutions that promote European competitiveness and global impact in standardisation.

⁶ Regulation (EU) 2023/1230