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DECEMBER 2021
SMEs, standards and the Machinery Regulation

New Machinery Regulation: a vital cog for the future of European SMEs

At the end of November, SBS published a position paper on the proposal for a revision of the Machinery Directive. The proposal was published in April and is currently under discussion in the Committee on the Internal Market and Consumer Protection (IMCO) of the European Parliament.

European legislation on machinery covers a wide range of products, from agricultural and industrial machinery to lifting platforms, electric bikes and electric furniture. SMEs represent the vast majority of stakeholders in all these sectors, as manufacturers, users or service providers. It is therefore important that the new proposed regulation fully takes into account the needs and the possible impacts of the legislation on SMEs across all affected sectors and at all levels of the value chain.

The position paper by SBS analyses important aspects of the European Commission's proposal, as well as a number of the outstanding points at the centre of the current parliamentary debate.

SBS is generally supportive of the Commission's proposal and is optimistic regarding the ongoing discussion in the European Parliament. However, several points require improvement in order to reach a more balanced text and create a piece of legislation that supports SMEs.

A first point of concern for SBS is the proposal to empower the Commission to adopt implementing acts establishing technical specifications under certain conditions. SBS supports the current standardisation system in which the definition of technical details to meet essential health and safety requirements is left to harmonised standards developed by stakeholders. This approach establishes clear roles and responsibilities for all stakeholders and has been central to the achievements of the single market. SBS acknowledges that in some cases a fallback measure may be necessary in case standards are not available. However, the Regulation should clearly state that such a step would only be taken as a last resort and that the involvement of stakeholders, such as SMEs, would need to be ensured.

Another point that SBS believes requires improvement is the new definition of "substantial modification". The proposed Regulation states that "a natural or legal person, other than the manufacturer, the importer or the distributor, that carries out a substantial modification of the machinery product shall be considered a manufacturer for the purposes of this Regulation and shall be subject to the obligations of the manufacturer". The modernisation of machinery used by SMEs in the EU is an important strategic topic, which is closely related to their competitiveness. As it currently stands, the text of the Regulation would create an environment in which the original manufacturers would obtain a de-facto monopoly on the modification of their machines and SMEs would be forced to buy new machines when they want to continue using the ones in service by upgrading them.

Furthermore, the current text would mandate a third-party conformity assessment for all products designated as high-risk even when they are manufactured in full conformity with existing harmonised standards. SBS believes that this would create undue additional costs for companies, particularly SMEs. To address this issue, SBS proposes maintaining the provisions of the current Machinery Directive whereby machinery products manufactured in conformity with harmonised standards can be subject to self-assessment without requiring third-party certification.

Finally, a major concern that has emerged from the work of the European Parliament on this matter relates to the amendments suggested to roll back the proposed exclusion of light electric vehicles (LEVs) from the scope of the text. SBS believes that this exclusion is vital for the LEV sector to thrive, and it is further justified by the fact that machinery legislation is not meant to regulate risks exclusively related to the transport of persons or goods.

SBS is fully aware of the crucial importance of machinery products to SMEs, whatever their position in the value chain. This position paper adds a strong voice to the policy debate to achieve legislation on machinery that is balanced, inclusive and forward-thinking, and that fully takes into account the needs and particularities of SMEs.

The SBS position paper can be consulted via the following [link](#).



SBS workshop to inform SMEs on the revision of the Machinery Directive

On 16 November, SBS organised a training session to raise awareness among SMEs involved in the machinery sector about the European Commission's proposal for a new regulation and its implications for SMEs. In addition to an overview of the changes suggested by the Commission's proposal, the webinar also included information on the standards drafted in support of the Machinery Directive, future standardisation work in this area and the link to conformity assessment.

The training included presentations from machinery experts from the Commission, CEN-CENELEC and the Dutch Ministry of Social Affairs and Employment. It provided the opportunity to raise some

of SBS' main concerns about the proposal, such as the empowerment of the Commission to adopt technical specifications and the concept of substantial modification. Further concerns about the text related to the need to ensure a sufficient transition period and the obligation to involve a third party for the conformity assessment of some products.

[Event material](#)



SBS Forum on PPE and textile care discusses digital transformation in the sector

As part of the EU's goals of leading the digital and green transitions (the so-called "twin transition"), several initiatives are expected to be introduced by the European Commission, including the Sustainable Products Initiative which is expected to promote the Digital Product Passport as a key component to deliver environmental goals. In this context, SBS organised a PPE and textile care services forum on "Digitalisation and eco-design to support resilience in SMEs".

During the discussions of the first panel on digitalisation, a consensus was reached on the fact that the industry is going through a major digital transformation. The potential of digital transformation in PPE and textile services is promising and could lead to a better use of resources and closer alignment with environmental goals. For example, digital enablers can help SMEs make an eco-friendly use of chemicals and water during the manufacturing process. The Internet of Things (IoT) and artificial intelligence can offer better estimations and projections, allowing manufacturers to reduce waste and chemical use.

In addition, the Digital Product Passport can also support the tracing of PPE and textile raw materials to ensure transparency across the supply chain. Enabling technologies such as blockchain and distributed ledgers can increase trust among the supply chain actors by providing accurate information on the sources and quality of raw materials and on the manufacturing process.

Finally, it was concluded that the use of standards is essential to allow interoperability and exchangeability that permits good circularity within supply chains.

A recording of the PPE and Textile care Forum is [available](#).



SBS' vision for an EU sustainable textiles strategy

The textiles sector is one of the 14 critical ecosystems of the EU's new Industrial Strategy that will "help the EU shift to a climate-neutral, circular economy". In this context, the European Commission has decided to develop an "EU Sustainable Textiles Strategy" which it expects to publish before the end of 2021.

The European textile sector is predominantly made up of SMEs, 88.8% of which are micro-enterprises. SMEs are active in all areas, ranging from manufacturing to trade and services. Their main focus is on high-quality and technical textiles, while in the textile services sector, they offer repair, rental, laundry and cleaning services.

SMEUnited and SBS recently published a joint position paper that calls for the consideration of the entire value chain to ensure that the textile industry recovers from the COVID-19 crisis in a sustainable and competitive way. Indeed, the value chain of production, the consumption of raw materials and the lifecycle of the textiles are decisive factors for the sustainability of the end product. Moreover, the greatest sustainability potential lies in the use cycle.

The document highlights the key role of harmonised sustainability standards in this area when it comes to strengthening SMEs in the textile supply chain. Common European standards would enable both manufacturers and service providers to offer products that can be universally used and applied by the industry. Standardisation of sustainability certificates and labels would also significantly reduce the burden on SMEs.

[SMEUnited and SBS position paper](#)



SBS President speaks at workshop on timely delivery of standards

In the second half of 2021, the European Commission and the European Standardisation Organisations (ESOs) created a task force to define solutions to speed up the adoption of crucial standards. In this context, a workshop entitled "Timely delivery of European standards for a green and digital, single and global market" was organised by the Commission and the ESOs on 16 November. SBS President Gunilla Almgren delivered a speech at the workshop highlighting the importance of harmonised standards for SMEs in Europe. SMEs need up-to-date standards to maintain their competitiveness and growth potential by ensuring that their products comply with EU legislation. Indeed, using alternatives to standards can be very costly and sometimes uncertain.

Ms. Almgren underlined that to remove the obstacles to the citation of harmonised standards, clear and stable criteria for their assessment need to be defined so that delays in their development and subsequent citation can be avoided. A common understanding and harmonised views on these criteria from all the relevant stakeholders are also essential.

She also pointed out that the timely delivery of European standards and better anticipation of future

standardisation needs are of paramount importance. Practical experience shows, however, that the time gained by working in parallel is often lost in adapting draft standards due to rapidly changing requirements. It is therefore important to find an appropriate approach to anticipate needs without having to redo the work. In this context, the SBS president highlighted the need for:

- close dialogue at an early stage between the standardisation bodies, the Commission and stakeholders to identify standardisation needs
- a certain degree of flexibility in standardisation requests
- realistic transition periods in relation to new or amended legislation to ensure that the standards supporting its implementation are available on time.



SBS, exhibitor at the ANACAM 2021 EXPO

At the kind invitation of its Italian member ANACAM, EFESME, SBS member representing lift SMEs, participated in the ANACAM 2021 EXPO sectoral fair, which took place in Milan from 25 to 27 November and was the first fair held in person almost two years.

SBS' mission and activities in the lift sector were presented to the participants during the opening panel of a conference organised by ANACAM on the morning of 25 November.



Standardisation request

A standardisation request (abbreviation Sreq), also commonly known as a mandate, is a request issued by the European Commission to the European Standards Bodies (CEN, CENELEC and/or ETSI) to develop and adopt European standards or other documents in support of European policies and legislation. Standardisation requests are submitted to the Committee on Standards established under Regulation 1025/2012 on European standardisation, for approval by the Member States. Standardisation requests are adopted as a European Commission Implementing Decision. Once approved, they are officially transmitted to the European Standards Bodies for acceptance and execution.

The text of standardisation requests issued can be consulted in the [database of mandates](#) of the European Commission.

Latest developments in standardisation

- [CEN and CENELEC confirm British Standards Institution's membership](#)

At the end of November, the CEN and CENELEC General Assemblies confirmed the British Standards Institution's (BSI) continued membership of the two organisations from 1 January 2022. The decision considers the impact of the UK's exit from the EU and is consistent with the Trade and Cooperation Agreement (TCA) between the UK and the EU. As a member of CEN and CENELEC, BSI will need to respect the principle of adoption of European standards and the withdrawal of conflicting national standards. This should facilitate SMEs' market access across Europe, including in the UK.

- [Guide 17 on writing standards considering SMEs' needs confirmed](#)

At the beginning of 2021, ISO and IEC launched the systematic review of the CEN-CENELEC and ISO-IEC Guide 17 "Guidance for writing standards taking into account micro, small and medium-sized enterprises (SMEs) needs". The aim of a review is to gather feedback on whether the guide needs to be modified, confirmed as it is or withdrawn. The decision was not to revise the guide and to confirm it for the next five years. Guide 17 together with the [SBS Compatibility Test](#) is a very important tool available to Technical Committees to ensure they consider SMEs when writing standards.

- [New ISO proposal on intelligent training systems for vehicle driving](#)

The Standardisation Administration of China (SAC) has put forward a proposal for a new ISO Technical Committee covering intelligent training systems for vehicle driving, applying artificial intelligence technology in the driver training industry. If you are interested in providing feedback, you are advised to contact your national standards body, which is currently considering the proposal, and the SBS Secretariat. The ISO voting deadline is early in February 2022.

- [Consultation on new draft standardisation request on lifts](#)

The European Commission has launched a consultation on the draft for a new standardisation request (Sreq) for harmonised standards (hENs) under the Lifts Directive. A first discussion on the draft took place in the last meeting of the Commission expert group on lifts on 23 November. The future Sreq, which is still under development, will ask for the revision of some existing standards supporting Directive 2014/33 on lifts.

Publication of new harmonised standards

- [Commission Implementing Decision \(EU\) 2021/1813](#) of 14 October 2021 amending Implementing Decision (EU) 2019/436 as regards harmonised standards for aircraft ground support equipment, cranes, mining tools, and other machinery.
- [Commission Implementing Decision \(EU\) 2021/1827](#) of 18 October 2021 on standards for postal services and the improvement of quality of service
- [Commission Implementing Decision 2021/1992](#) of 15 November 2021 on harmonised standards for toys.

The latest list of harmonised standards referenced in the Official Journal including the consolidated list of references can be consulted on the [European Commission website](#).

LATEST POSITION PAPERS

- [Position paper on the proposal for a revision of the Machinery Directive](#)
- [SBS-SME United joint position on the EU strategy for sustainable textiles](#)

MEETINGS AND EVENTS ATTENDED

10/11 - Commission Expert Group on Machinery
10/11 - Group of Notified Bodies for Lifts
16/11 - Stakeholder Workshop on the Task Force "Timely delivery of European standards for a green and digital, single and global market"
16/11 - CEN-CENELEC Personal Protective Equipment Sector Forum
17-18/11 - Advisory Committee on the Construction Products Regulation
23/11 - Commission Expert Group on Lifts
24/11 - ETSI 3SI round table meeting
30/11 - UNECE Stakeholder Consultative Workshop "Leveraging standards and trade facilitation for MSMEs' development"
30/11 - 1/12 - ETSI GA
2/12 - ETSI Board
10/12 - Committee on Standards

The SBS team wishes you and your loved ones a merry
Christmas and a happy New Year!



Small Business Standards (SBS) is a European non-profit association established in 2013 with the support of the European Commission devoted to representing and defending Small and Medium-sized Enterprises' (SMEs) interests in the standardisation system at European and international levels. Its 21 members are national and European sectoral and inter-professional associations representing SMEs in 32 European countries.

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