IA on the Repealing of 8 Old Metrology Directives COM (2008)801

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Points to cover

- **Turnover**
- Options
- **Impacts**
- Issues per Sector
- Conclusions



Turnover

Table 1: Estimates of the annual turnover per sector on the EU market, currently under a directive and additional due to technological innovation (million €)

Sector	Annual turnover on the EU market including imports and excluding exports (million €)			
	Only existing directive	Additional due to technical innovation	Total: existing + new	
Non-clean water meters	4	0	4	
Alcohol meters	2	6	8	
Weights	30	0	30	
Tyre gauges	3	70	73	
Mass of grain	0.6	4	4.6	
Calibration ship tanks	0.75	0	0.75	
Total	40	80	120	

Option 1: Current situation

Instruments:

- 1. Covered by Old Approach (1A&1B)= €40mln under EEC conformity mark
- 2. Covered by national rules (1B&IC)= part of €80 mln under mutual recognition



Option 2: No regulation

- 1. Previously covered by Old Approach
 - National rules based on int. standards (2A&2B)
 - = part of €40mln under national marking (change: 1B→2A)
 - No national rules (2C) = rest of €40mln (change: 1B→2C)
- 2. Covered by national rules (2A&2B) = part of €80 mln under mutual recognition (no change: 1B=2A)
- 3. No rules (2C) = other part of €80 mln (no change: 1D=2C)



Option 3: Reregulation under MID (I)

- 1. Previously covered by Old Approach
 - National rules transposing directive (3A) = part of €40mln under CE+M marking (change: 1B→3A)
 - Opt out under Art 2 MID = No national rules (3B) = rest of €40mln (change: 1B→3A)
- 2. Covered by national rules
 - National rules transposing directive (3A) = 1° part of €80 mln under CE+M marking (change:1B→3A)
 - Opt out under Art 2 MID = No national rules (3B) = 2° part of €80 mln (no change: 1B→3B)



Option 3: Reregulation under MID (II)

3. No rules

- -National rules transposing directive (3A) = 3° part of €80 mln under CE+M marking (change: 1D→3A)
- Opt out under Art 2 MID = No national rules (3B) = 4° part of €80 mln (no change: 1B→3B)



Impact I: protection versus administrative costs

Table 2: Impacts per option (scenario) (+ = benefit, - = cost)

Scenario	1B	1D	2A	2C	3A	3B
High level protection	+	0	+	0	+	0
Administrative costs	-	0	-	0	-	0
Total	0	0	0	0	0	0

- Legislation gives a high level of protection comes at the cost of conformity assessment by a third party (conformity assessment body) and market surveillance. (1B, 2A, 3A)
- No legislation gives no legal protection and no legal costs (1D, 2C, 3B)

Impact II: Likely choice by Member States

Table 3: Impacts of options compared to the baseline option 1 (likely choice by Member States)

Scenario	$1B \rightarrow 2A$	$1D \rightarrow 2C$	$1B \rightarrow 3A$	$1D \rightarrow 3B$
High level protection	0	0	0	0
Administrative costs	0	0	0	0
Total	0	0	0	0

If Member States continue to do what they are doing now, there will be no costs due to change. If they have regulation they will want to keep it

Impact III: Less likely choice by Member States

Table 4: Effects of crossing over compared to baseline option 1 (less likely choice by of Member States)

Scenario	$1D \rightarrow 2A$	1B→ 2C	1D → 3A	$1B \rightarrow 3B$
High level protection	+	-	+	-
Administrative costs	-	+	-	+
Total	0	0	0	0

- If Member States cross over from no rules to regulation, that will increase protection at an administrative cost
- If Member States move over from regulation to no rules, that will diminish protection and free firms from administrative cost



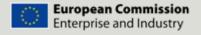
Issues per Sector (I):

- Non-clean water: OIML R49 standard for clean water can apply, very mixed set of instruments: waste water, irrigation; small turnover
- Alcohol meters: OIML standard but only ISO standards recognised by AGRI regulations which retake alcohol tables; small turnover
- Weights: OIML standard, no innovation; turnover €30 mln are being replaced by nonautomatic Weighing Instruments under Directive 2009/23/EC



Issues per Sector (II):

- Tyre pressure gauges: OIML standard; uncertain technical progress due also to TPMS in all new cars in 2014; UN_ECE standard for TPMS, Commission to issue standards mandate for gauges and TPMS; turnover €70 mln outside old Directive
 -Mass of grain: OIML standard but only ISO standard recognised by AGRI regulation; small turnover
- Ships tanks: OIML standard, no innovation, not for transactions or maritime safety; small turnover



Need for Regulation per Sector: Member States Views

VIEWS OF 27 MEMBER STATES ABOUT THE NEED FOR REGULATION PER SECTOR

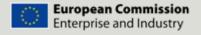
	Repeal	Regulate
1 Cold water meters Dir 75/33	17	10
2. Alcohol meters Dir 76/765	17	10
3. Alcohol tables Dir 76/766	20	7
4. Medium accuracy weights Dir 71/317	15	12
5. Above medium accuracy weights Dir 74/148	16	11
6. Tyre pressure gauges for motor vehicles Dir 86/217	12	15
7. Standard mass of grain Dir 71/347	18	9
8. Calibration of ship tanks Dir 71/349	18	9

Note: views of 27 Member States per end of February 2009



Does mutual recognition work?

- National choice (subsidiarity)
- Periodic control always national rules
- International standards to base laws on (WTO/TBT)
- Motivated language requirements (like in MID)
- No barriers to trade
- Acceptance conformity assessment
- WELMEC type approval agreement
- Regulation 764/2008/EC



IA Conclusions

- No preferred option
- Old Approach directives becoming obsolete simplification
- International standards by OIML equal to Old Approach directives
- No barriers to trade reported for technically more advanced instruments
- Apparently mutual recognition is working
- Small sectors compared to others under MID
- Opting out expected where there are currently no rules



Thank you!

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