

IA on the Repealing of 8 Old Metrology Directives

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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**
- 3. No rules (1D) = other part of €80 mln**

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 → 2A	1D → 2C	1B → 3A	1D → 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 → 2A	1B → 2C	1D → 3A	1B → 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 non-automatic 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

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

For additional information
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