

Mutual recognition of authorisations in weighing industry needed to strengthen EU single market

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The European weighing instrument industry, represented by CECIP, provides a wide-range of products and services all over Europe. Where there is harmonised EU legislation for placing the products on the market, the market for private services in the weighing industry is characterised by a variety of weighing related national laws after the product has been placed on the market. In many cases this, unnecessarily, hinders the free movement of services. Particularly, the separate mandatory national reverification authorisations provide a significant threshold for companies to become active in other Member States. Considering these authorisations are practically the same in most Member States, CECIP calls on the support of the European Commission to promote the mutual recognition of these reverification authorisations in the EU.

Reverification of weighing instruments ensures high quality weighing

When weighing instruments are placed on the EU market they need to meet strict requirements on several aspects as defined in Directive 2014/31/EC and Directive 2014/32/EC, such as accuracy and stability. To ensure that those instruments remain accurate over time or still meet the requirements after being repaired regular reverification takes place for certain weighing instruments. After such a reverification the weighing instrument is guaranteed to weigh accurately again.

The procedures and requirements for these reverifications differ between member states. Differences exist for example with regard to the entity that can carry out the reverification (e.g. a government agency or a private company), the administrative requirements or the time at which a reverification needs to take place. These differences in reverification requirements and procedures result in often unnecessary costs for businesses. Therefore, CECIP is, in general, in favour of more harmonisation of these requirements and procedures to strengthen the EU single market for services. One example where CECIP would like to see more harmonisation is on the question when a weighing instrument should be considered as new and when as a repaired.

Mutual recognition of authorisations needed to improve the free movement of services

One of the most prominent barriers to the free movement of services is the different authorisations needed to carry out reverifications as a private entity. In each country that allows private entities to

carry out reverifications a separate authorisation is necessary. A company that wishes to carry out reverifications in five countries needs to ask five different authorisations. For many companies, and the many SMEs in the industry in particular, this creates a major burden.

This is especially striking, as the requirements in many member states are practically the same. As can be seen in the annex, the requirements to obtain the authorisation are often based on ISO/IEC 17020 and ISO/IEC 17025. Hence, the quality of reverifications does not improve due to the various authorisations. The separate authorisations only result in a higher administrative burden for companies leading to barriers to become active in other member states. Therefore, CECIP is strongly convinced mutual recognition of authorisations is necessary to improve the free movement of services in Europe.

EU Services Directive supports the removal of separate authorisations

One of the main pillars of the EU is the free movement of services, with Directive 2006/123/EC as a crucial part for completing the internal market for services. Article 10 (3) of this Directive clearly states that there should be no duplication of authorisations for services.

Directive 2006/123/EC Article 10 (3):

The conditions for granting authorisation for a new establishment shall not duplicate requirements and controls which are equivalent or essentially comparable as regards their purpose to which the provider is already subject in another Member State or in the same Member State.

As the authorisation requirements are essentially comparable in many member states it should not be allowed to ask for an authorisation with comparable requirements in each member state separately or at least cross-country acceptance of national authorisations for reverification services should be granted. European legislation clearly supports the CECIP request to avoid the duplication of authorisation requirements and member states should be encouraged to accept each other's authorisations.

Conclusion

In all countries where reverification of weighing instrument by private companies is allowed different authorisations are needed. As the qualitative requirements for these authorisations are similar, the separate authorisations only result in a higher administrative burden that hinders the free movement of services. Therefore, CECIP believes mutual recognition is necessary and calls on the European Commission to encourage the EU member states to accept this mutual recognition.

Annex I – Overview reverification authorisation requirements EU Member States

| | Manufacturers or service partners authorized undertake reverifications | Third parties (private) undertake reverifications | Authorisation required | Basis of authorisation |
|----------------|--|---|------------------------|---|
| Austria | Yes | Yes | Yes | ISO/IEC 17025 + additional requirements |
| Belgium | Yes | Yes | Yes | ISO/IEC 17020 |
| Croatia | | | | |
| Cyprus | Yes | Yes | Yes | National approval |
| Denmark | Yes | Yes | Yes | Approval in one other MS |
| Estonia | Yes | Yes | Yes | |
| Finland | | | | |
| France | Yes | Yes | Yes | ISO/IEC 17020 and ISO/IEC 17025 |
| Hungary | | | | |
| Ireland | Yes | No | Yes | |
| Italy | Yes | Yes | Yes | ISO/IEC 17025, 17020 or 17065 |
| Latvia | | | | |
| Netherlands | Yes | Yes | Yes | National approval |
| Portugal | No | Yes | Yes | National approval |
| Romania | Yes | Yes | Yes | National approval |
| Slovenia | Yes | Yes | Yes | ISO 17020 |
| Spain | No | Yes | Yes | |
| Sweden | Yes | Yes | | |
| UK | Yes | No | Yes | |
| Germany | No | No | | |
| Lithuania | No | No | | |
| Czech Republic | No | No | | |
| Slovakia | No | No | | |
| Malta | No | No | | |
| Luxembourg | No | No | | |
| Bulgaria | No | No | | |
| Greece | No | No | | |
| Poland | No | No | | |

CECIP (www.cecip.eu) is the European association representing the weighing instrument industry. Founded in 1958, CECIP has currently members in 14 countries. The weighing instrument industry in Europe is world leader and consists of around 700 companies that are mostly SMEs. The total turnover is approximately 3 billion euro and the industry employs about 50.000 persons.

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