

CECIP Position on Integrating NAWID into the MID: Key Risks and Safeguards

CECIP supports regulatory simplification but cautions that integrating NAWID into the MID could create fragmentation, legal uncertainty, and disruption of established business models. The MID's optionality clause risks deregulating essential NAWI applications, while differing concepts of intended use may lead to inconsistent national interpretations. CECIP therefore calls for safeguarding mandatory regulation of critical applications, limiting optionality, harmonising intended-use definitions, and ensuring legal continuity through stakeholder involvement and proper impact assessment.

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1. Optionality Clause Risks

The MID's optionality clause allows Member States to exclude certain applications from regulation, whereas NAWID does not include such flexibility and applies uniformly across the EU. Integrating NAWID into the MID without safeguards could allow Member States to deselect critical applications such as medical weighing. This would lead to regulatory fragmentation, loss of harmonised market access, and commercial disruption for CECIP members.

2. Intended Use and Legal Certainty

NAWID applies only to instruments intended for specific regulated uses, such as commercial, medical, or pharmaceutical applications. This intended-use concept provides clarity but also introduces interpretation challenges. Since the MID does not rely on intended use in the same way, integration could create legal uncertainty unless definitions are harmonised.

3. Risk of Diverging Interpretations

Without clear limitations, the optionality clause could lead to new and diverging national interpretations, undermining the goal of harmonisation. This would increase the regulatory burden on manufacturers and make market surveillance more complex.

4. Business and Market Impact

Many CECIP members depend on regulated NAWI applications for their business models. Deregulation or inconsistent application across Member States could

reduce demand for compliant instruments, create uneven competition, and undermine consumer and institutional trust.

Recommendations:

CECIP would support integration only if the following safeguards are implemented:

1. Preserve Mandatory Regulation for Critical Applications
 - Define a core set of applications (e.g. medical, legal-for-trade) that must remain regulated across all Member States.
2. Tailor the Optionality Clause
 - Modify or limit the clause for the NAWI annex to prevent deregulation of essential sectors.
3. Clarify Intended Use
 - Provide harmonised definitions and guidance to ensure consistent interpretation across the EU.
4. Ensure Legal Continuity
 - Maintain the current level of regulatory certainty and avoid creating grey zones in compliance.
5. Stakeholder Involvement and Impact Assessment
 - Conduct a thorough impact assessment and involve industry stakeholders in shaping the transition.
6. Monitoring and Review Mechanism
 - Include a clause requiring the Commission to monitor implementation and address any emerging inconsistencies.

Conclusion:

While integration of NAWID into MID could offer long-term benefits in terms of simplification and alignment, it also carries significant risks if not carefully designed. CECIP urges the European Commission and Member States to proceed with caution, ensuring that any integration:

- Preserves harmonisation
- Protects critical applications
- Supports legal clarity and market stability

Only under these conditions can integration serve the interests of industry, regulators, and end-users alike.