



Position Paper

Brussels, 22 December 2017

Orgalime answer to the Inception Impact Assessment on the revision of the Outdoor Noise Directive 2000/14/EC¹

Orgalime, the European Engineering Industries Association, speaks for 42 trade federations representing the mechanical, electrical, electronic, metalworking & metal articles industries of 23 European countries.

Orgalime covers a heterogeneous sector, including a wide variety of manufacturing companies (mostly small/medium-sized companies) that manufacture equipment used outdoors like garden equipment machinery, cranes and lifting equipment, and equipment used in the construction sector in general.

Orgalime believes that in the interest of better regulation European industry needs both a clearer and fully harmonised framework and therefore welcomes the Evaluation of the Outdoor Noise Directive (OND) within the REFIT Programme.

Orgalime hopes that the comments below will be duly taken into account in the Evaluation exercise:

1. Alignment of the OND to the New Legislative Framework

This alignment would grant legal certainty and guidance to manufacturers as it provides a flexible regulatory framework for the marketing of products.

2. Turn the Directive into a Regulation

The adoption of a Regulation would allow a coherent and homogenous application of the directive throughout the EU, would reduce the administrative burdens and interpretation in the Member States and would foster the competitiveness for our industries.

3. No extension of the Scope of the new piece of legislation

Orgalime firmly believes that the scope of the directive should not be extended. Adding new equipment categories under the OND would trigger new financial burdens for the companies concerned. The Machinery Directive already addresses and defines risks related to noise emissions. On the contrary, we believe the Evaluation would be an opportunity to remove some equipment categories from the scope of the OND because they are technologically outdated and

¹ http://ec.europa.eu/info/law/better-regulation/initiatives/ares-2017-5797168_en

Orgalime, the European Engineering Industries Association, speaks for 42 trade federations representing the mechanical, electrical, electronic, metalworking & metal articles industries of 23 European countries. The industry employs nearly 11 million people in the EU and in 2016 accounted for some €2,000 billion of output. The industry represents over a quarter of the output of manufactured products and over a third of the manufactured exports of the European Union.

gradually disappearing from the market.

4. Enable self-certification for all categories of products

In all cases, manufacturers are responsible for the conformity of their products with the OND. They have a longstanding experience in deciding whether a specific limit value is feasible or not. Therefore, manufacturers should be able to benefit from a flexible approach, enabling them to use self-certification for all product categories, which would allow them to remain competitive.

5. Replace the database by another mean to inform the end-user

Orgalime and other industry stakeholders believe that the noise database under the current directive has failed to reach its objectives and should be abandoned. Instead, a new mean of information of the end-user on noise limits could be set up and we are open to explore such a possibility together with the European Commission services.

6. Test Code Assessment

Orgalime recommends removing all the test methods from the body of the directive and aligning them with international standards in European harmonised standards to provide flexibility in updating these test methods in line with the technological progress.

7. Effective market surveillance

A more efficient and effective market surveillance system is necessary to support a better application of any new legislative requirements.

Conclusion:

Given the comments above, we suggest the following answers to the proposed policy options:

1. **Orgalime is against the baseline approach** which would imply no change in the legislation
2. **Orgalime considers that an alignment to the NLF alone, without substantial change in the current directive, is not enough** to reach a better and clearer piece of legislation on equipment used outdoors.
3. Orgalime is in favour of a revision of the directive, including some changes in the substantial content with the following sub-options **only**:
 - a. Adaptation of the conformity assessment procedures, according to the changes introduced in the scope and/or in the noise limits
 - b. Adaption of the scope of the Directive, **by removing** specific types of equipment.
 - c. Elimination of the requirements on collection of noise data
 - d. Modification of the noise measurement methods/test codes, with a different regime for the standards to be used.