

## New Legislative Framework for the marketing of products: Proposal to align ten product harmonisation directives to Decision 768/2008

The consultation concerns the marketing of electrical and electronic products, lifts, pressure equipment, measuring instruments, civil explosives, pyrotechnic articles and equipment for use in potentially explosive atmospheres.

### Target groups

- Economic operators that manufacture, import or distribute products in these sectors, including industry associations.
- Consumer or professional users that use products in these sectors, including associations representing the interests of users.
- Public authorities in charge with the application of regulation in these sectors, in particular authorities that carry out market surveillance activities (referred to as 'Market Surveillance Authorities') and authorities responsible for the notification of conformity assessment bodies ('Notifying Authorities').
- Conformity assessment bodies notified under one or more of the directives concerned by this consultation (also referred to as 'Notified Bodies').

### Period of consultation

**From 20.05.2010 to 16.07.2010**

### Objective of the consultation

To receive input from stakeholders on the proposal to align ten directives to the provisions of [Decision 768/2008](#) as regards, in particular:

- obligations applicable to manufacturers, importers and distributors
- market surveillance procedures
- notification of conformity assessment bodies
- harmonisation of conformity assessment modules and definitions applicable to products falling under the scope of more than a harmonisation directive.

### Background information

In July 2008, Council and the European Parliament adopted the New Legislative Framework (NLF), a set of measures enhancing the functioning of the internal market in goods. The NLF consists of two complementary instruments, Regulation 765/2008/EC on accreditation and market surveillance and Decision 768/2008/EC establishing a common framework for the marketing of products.

#### [For more information](#)

Both instruments have the objective to address a number of problems which have been generally observed throughout various industrial sectors regulated by "EU technical harmonisation legislation", i.e. legislation that sets up common requirements for the marketing of products. The main concern is to ensure the safety of citizens and to reduce the number of products on the market which are not satisfying the requirements set out in EU legislation. Another objective is to improve the quality of the work performed by bodies active in testing and certifying products. Furthermore the NLF should also bring more consistency into the whole regulatory framework for products and simplify its application.

Regulation 765/2008 has become applicable on 1 January 2010. Decision 768/2008 does not have legal effects for enterprises, individuals or Member States. It is designed to work as toolbox containing those provisions which are common elements of technical harmonisation legislation. These standardised provisions should be integrated into new and revised legislation. For this reason the Commission has envisaged to **align ten directives to the new standards set by Decision 768/2008**.

### The directives concerned by the alignment

The Commission has envisaged to align to Decision 768/2008 the following directives:

1. Low Voltage Directive: Directive [2006/95/EEC](#) on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits
2. Simple Pressure Vessels Directive: Council Directive [2009/105/EC](#) on the harmonisation of the laws of the Member States relating to simple pressure vessels
3. Non-automatic Weighing Instruments Directive: Council Directive [90/384/EEC](#) on the harmonisation of the laws of the Member States relating to non-automatic weighing instruments
4. Civil Explosives Directive: Council Directive [93/15/EEC](#) on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil use
5. ATEX Directive: Directive [94/9/EC](#) of the European Parliament and the Council on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres
6. Lifts Directive European Parliament and Council Directive [95/16/EC](#) of 29 June 1995 on the approximation of the laws of the Member States relating to lifts
7. Pressure Equipment Directive: Directive [97/23/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States concerning pressure equipment
8. Measuring Instruments Directive: Directive [2004/22/EC](#) of the European Parliament and of the Council on measuring instruments
9. Electromagnetic Compatibility Directive: Directive [2004/108/EC](#) on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC
10. Pyrotechnic articles Directive [2007/23/EC](#) on the placing on the market of pyrotechnic articles.

### How to submit your contribution

We welcome contributions from economic operators, users, public authorities, conformity assessment bodies, as well as other stakeholders including industry associations and consumer interest associations who have had direct experience of the application of the ten directives above.

- If you are answering this consultation as an economic operator, please click [here](#) to submit your contribution.
- If you are answering this consultation on behalf of a conformity assessment body ('notified body'), please click [here](#) to submit your contribution.
- If you are answering this consultation on behalf of a consumer or professional user, please click [here](#) to submit your contribution.
- If you are answering this consultation on behalf of a public authority, please click [here](#) to submit your contribution.

Translations of the questionnaires in FR, DE, IT, ES and PL will be on line shortly.

When you enter the questionnaire you will be asked to choose the sector for which you intend to answer.

It is important to read the specific privacy statement attached to this consultation for information on how your personal data and contribution will be dealt with.

[Protection of personal data](#)

[Privacy statement](#)

### Contact details

Responsible service: DG Enterprise and Industry, Unit C1 "Regulatory approach for the free movement of goods and market surveillance"

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