

CEN-CENELEC Webinar Report: 'Standardization Requests - State of play'

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[Presentation](#)

[Recording](#)

Speaker

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Background

The webinar is focused on giving a blueprint of standardization requests in the future. The panel will be factual and focus on: the legislative framework for SReq (Standardization Request), the new model for SReq of the European Commission from 2018 and the SReq process in general.

The legal basis of EU standardization requests is contained within art. 10 of Reg 1025/2012. According to this article, the European Commission may request one or several EU standardization organizations to draft a new European Standard or European standardization deliverable, within a set deadline. These will be market-driven, will take into account the public interest as well as the policy objectives clearly stated in the Commission's request, and will be based on consensus.

The relevant European standardization organization shall indicate, within one month following its receipt, if it accepts the request or not.

Current landscape of standardization requests

Before the [regulation 1025/2012](#), the EC used to issue so-called "Mandates", while after 1 January 2013 we refer to these as "Standardization Requests". The difference is in the fact that the Standardization Request is a Commission implementing decision, therefore Reg 1025 is considered as a legal act. All of these can be found in the relevant [online database](#).

The communication [EC COM\(2018\) 764](#) on Harmonized Standards provides the view of the EC on standardization, also in the light of the relevant case of law of the EU Court of Justice. This document explains the scope and actions to improve the system, and also includes "*specific actions that the Commission will take in the immediate future in order to enhance the efficiency, transparency and legal certainty for the actors involved in the development of harmonized standards*". In the same document, it is also said that "*the Commission will review its internal decision making processes with a view to streamlining the procedures for publishing the references to harmonized standards in the Official Journal*".

This essentially means that, from the end of 2018, any citation of reference to harmonized standards has become a Commission Implementing Decision, with legal value.

What are the novelties in how requested standards are listed? Any SReq contains the list of

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requested standards to be provided by the ESOs (European Standards Organizations, e.g. CEN-CENELEC, ETSI, ecc.). The list is to be considered exhaustive (CEN-CENELEC cannot offer for citation any other standards than those listed in the Annex of the SReq). There is no flexibility for ESOs to adapt the work programme.

However, ESOs may request the EC to include additional standards, but there is no definitive information regarding the follow-up of this request. ESOs may also request the EC to extend the deadlines for standards delivery, again with no indication of any possible follow-up.

The EC sets an expiry date for the SReq: this defines the period during which there is a legal framework for the EC to accept standards from the ESOs. Once the SReq is expired, there is no legal framework to offer standards. The expiry date can be extended following the same above-mentioned principles.

To request additional standards, extension of deadline for standards' delivery and/or extensions of the expiry date of the SReq, CCMC (the CEN-CENELEC Management Center) has to contact the relevant EC desk office. Take note of the fact that **an existing SReq can be amended only via a new SReq**: this is because, since the SReq has the legal status of a Commission Implementing Decision, the EC will launch the full process for the approval of a new Commission Implementing Decision.

How does the process of the SReq work?

As soon as CCMC is aware that the EC is working on a draft SReq, it launches the creation of a SRAHG, a Standardization Request Ad-Hoc Group (that CEN-CENELEC creates every time there is a request for standardization).

Upon reception of the working draft SReq or in case the EC has expressed the intention to follow up a topic indicated in the Annual Union Work Programme (AUWP), the establishment of a SRAHG is announced by CEN-CENELEC, together with the announcement of a first web-conference and a call for nomination of participants. Its composition depends on the complexity of the topic and the nature of the project.

The SRAHG then gathers comments/feedback and they are sent to the EC. Feedback includes assessments on the deadlines, the key aspects of the technical work, and extra care is taken in ensuring that modifications are in track changes between successive versions of the draft SReq. Once the final draft is available, the Technical Board in charge of the SReq will take a decision taking into account the SRAHG position.

There are some elements that can be negotiated with the EC in certain moments of the process. The concerned TCs (Technical Committees) are to focus on an accurate planning of the expected deliverables to meet the deadlines in the SReq.