

Public consultation on standardisation

Answers from KAN – Commission for Occupational Safety and Health and Standardization

The Commission for Occupational Health and Safety and Standardisation (KAN) has the purpose of formulating collective occupational safety and health (OSH) positions and presenting them to the standardisation process. Employers, employees, the State, the German Social Accident Insurance (DGUV) and DIN are represented in KAN. KAN itself is not a standardisation body; its resolutions in the area of OSH and standardisation take the form of recommendations which are based on as broad a consensus as possible of all the relevant OSH actors. In addition, KAN supports the federal government by preparing collective OSH opinions on standardisation policy issues.

<u>A. Avoidance of the creation of new technical barriers to trade for products and services in the internal market</u>	
<i>1. Do you think that service standards (including process standards) and alternative standardisation documents should be included in the scope of Directive 98/34/EC or its successor?</i>	<p>The notification of service standards would certainly increase the transparency and enable comments to be submitted at an early stage where necessary.</p> <p>However, the status of alternative standardisation documents should not be elevated by including them in the scope of Directive 98/34/EC or its successor. In the case of alternative standardisation documents or documents developed by consortia, it should remain the task of the standards organisations to ensure the necessary transparency by the instruments available to them.</p> <p>Comments by KAN regarding the treatment of OSH aspects in services standards are publicly available at: www.kan.de/fileadmin/user_upload/docs/sonstige/Hinweise_der_KAN_-_e.pdf</p>
<i>2. Are you aware of specific cases where national service standards and alternative standardisation documents have caused technical barriers to trade?</i>	No.
<u>B. Adaptation of the European standardisation system to the rapid evolution of technologies</u>	
<i>3. For areas other than Information and Communication Technology (ICT), should it be possible to refer to documents developed by fora and consortia in legislation and public policies? If it should, how should it be implemented?</i>	<p>Legislation and public policies relating to the safety of products or to safety and health at the workplace should not refer to documents developed by fora and consortia.</p> <p>Owing to the limited scope for participation and the lack of full consensus, papers developed by consortia (including those developed in the framework of the European standards organisations) are unsuitable for that purpose.</p>

<p>4. <i>How could ESOs and NSOs be encouraged to accelerate their standards development process?</i></p> <p><i>Should for example the Community financing for standardisation be subject to conditions in terms of speed of delivery whilst maintaining the openness of the process?</i></p>	<p>Any measures taken by the standards organisations that result in an acceleration of the standards development or revision process are to be welcomed. In particular, the standards organisations should ensure that the timeframes set out in the internal regulations are adhered to.</p> <p>Financing for standardisation should however not be subject to conditions such as rapid completion of the processes. The standards committees are already under great time pressure. Introducing such a measure would only result in a disproportionate increase in the bureaucracy of financing. In addition, it would have to be feared that owing to the even greater time pressure, standards would increasingly incorporate immature results. This would affect the quality of standards and could also lead to negative consequences in terms of safety. After all, when a mandate is issued, for example, the complexity of a standardisation project can hardly ever be anticipated to such an exact degree that it is possible to fix a realistic timeframe for its completion.</p> <p>In this sense, the European Council emphasised in point 24 of its Conclusions of 25.9.2008 “that the desired acceleration of the standardisation process must not take place to the detriment of the principles of quality, transparency and consensus among all interested parties”.</p>
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C. Adaptation of the European standardisation system to new markets and societal challenges

<p>5. <i>Should the WTO principles of transparency, openness, impartiality, consensus, efficiency, relevance and consistency¹² be integrated in the legal framework of European standardisation (especially in EU Directive 98/34/EC or in its successor)?</i></p> <p><i>How should this be implemented?</i></p>	<p>In any case, the WTO principles are legally binding for the European Union when it comes to the mandating of standards. It is therefore sufficient to stipulate them as a contractual basis in the agreements concluded with the standards organisations concerned.</p> <p>The inclusion of these principles in Directive 98/34/EC or its successor must not lead to further organisations being recognised as European standards organisations.</p>
<p>6. <i>How could the participation of consumer organisations, environmental NGOs, trade unions and social partners, and SMEs be best promoted?</i></p> <p><i>What should be the role of public authorities (European Commission and Member States) in supporting such a participation in a transparent, open, impartial, consensual, efficient, relevant and consistent European standardisation</i></p>	<p>In order to ensure balanced participation, it is essential that in <u>every</u> Member State the interests of <u>every</u> stakeholder be taken into account and be incorporated into the opinion presented at European and ISO/IEC level. European associations such as ETUI, NORMAPME, ANEC etc. can collect opinions as a basis for their position to be presented to the standardisation process only to a certain extent and by making a great effort. The reason for this is that they can not always obtain the necessary competent and practical feedback from national contact persons. Therefore, the national delegation principle is indispensable; in addition to European also national associations of these interest groups should be supported in order for human and financial resources to be available for the forming of opinions and participation at all levels of the standardisation process.</p> <p>The Member States are obliged, e.g. according to the Machinery and PPE Directives, to support the social partners (employers and employees) at national level in order to facilitate their access to the</p>

<p><i>system?</i></p>	<p>standardisation process. The European Commission should explicitly demand that this requirement be fulfilled and set up suitable quality criteria for this purpose. The model of KAN is one example of how this goal can be reached.</p> <p>In order to ascertain in which areas participation must be particularly supported, it would be helpful if the standards organisations were required to publish on their website for each standard which parties were involved in its development in the committee concerned.</p> <p>In addition, incentives should be offered to people and institutions in order to make the participation in standardisation activity more attractive to them.</p> <p>For all those who are unable to participate directly in the standards development process, solutions such as the draft standards portal offered by DIN would be of great help, since they allow draft standards to be viewed free of charge and comments to be submitted in an easy way.</p>
<p><i>7. How could the NSOs (National Standards Organisations) deepen their cooperation, and mutualise their activities?</i></p> <p><i>Could the following tasks be shared amongst several NSOs?</i></p> <ol style="list-style-type: none"> <i>1. Management of the Secretariats of Technical Committees?</i> <i>2. Notification of new national standardisation projects?</i> <i>3. Promotion/sales of standards?</i> <i>4. Other?</i> 	<p>No comment from the point of view of occupational safety and health.</p>
<p><i>8. Without prejudice to the national delegation principle, how could the European Standards Organisations (ESOs) manage directly, on a case by case basis, some standardisation activities, especially some Technical Committees?</i></p>	<p>Standards organisations only take on the secretariat of technical committees, not the chairmanship. The secretariat has no influence on the content of standards, but coordinates the work of the technical committee and, in particular, provides logistic support. This means that European standards organisations could take on the secretariat of technical committees without violating the national delegation principle. What is essential about the national delegation principle is not the maintenance of secretariats, but the composition of voting members on a committee.</p>
<p><i>9. What support should the European Commission provide to facilitate the use of European standards as a means to open global markets?</i></p>	<p>From the point of view of occupational safety and health it would be helpful if the Commission could refund travel costs to international meetings in order to ensure that the public European interests such as safety, health, etc. are also represented at international level by the competent experts responsible for the area concerned. These experts are generally willing to be part of the delegations</p>

<p><i>What would be the operational means that the Commission should use? (Support experts' participation in international standardisation activities, translation of European standards into extra-community languages?)</i></p>	<p>for technical committees, but can very often not actually attend the meetings because the sending organisation is unable to bear the travel costs.</p> <p>Making greater use of modern communication tools (telephone, web or video conferences) would help to save time and money and reduce the need to travel to a minimum.</p> <p>Political support by the Commission to illustrate the benefits of European standardisation to non-EU countries would reinforce the status of European standardisation considerably and help manufacturers in exporting their products (numerous countries outside the EU already accept European standards).</p>
<p><i>10. Under which conditions do you think that the European Commission could launch, on a case by case basis, calls for tenders, open to the ESOs and to other organisations, to develop standards supporting EU policies and legislation?</i></p>	<p>Calls for tenders would inevitably entail a major bureaucratic burden. In addition, it would have to be feared that Europe would face a similar situation as the United States, i.e. a multitude of standards organisations that cannot be coordinated effectively. This would put the freedom of contradiction of the European standards system at considerable risk. Moreover, after the recent, very welcome step of merging the management of CEN and CENELEC, such a measure would mean taking a step in the opposite direction. Standardisation work conducted by a large variety of standards organisations would also make the national delegation principle much more difficult.</p> <p>Mandated standards should therefore continue to be the instrument used to support EU policies and legislation. The European Commission must however develop a procedure for exceptional cases in which the standards organisations have rejected a mandate issued by the Commission, or have not produced a result despite the existence of a mandate. The procedure should imply some kind of legitimisation (e.g. through the Committee under Directive 98/34/EC or a specific Directive).</p>
<p><i>11. What is, in your view, the most efficient level of participation in the process of standards development: national, European, international?</i></p>	<p>The three levels must not be played off against each other. For various reasons, participation is equally important at all three levels. Any of them can be the most efficient one depending on the particular purpose:</p> <p>The national level is essential in order to ensure participation, in their mother tongue, of a broad range of stakeholders familiar with the conditions in the field. The formulation of national positions is also important in order to prepare regional needs and findings for the European and international standardisation process. Moreover, country-specific legal requirements exist which cannot be covered by EN or ISO standardisation and which, already today, require national forewords. Differing focuses of work from one country to another, such as they exist for example in the area of fire and rescue services, are often not taken into account in EN and ISO standardisation work. In such cases, standardisation at national level seems very reasonable indeed.</p> <p>The European level is important to ensure that the legal requirements set out in European legislation are fulfilled and that the politically important common "European solution" for the subject concerned remains the key objective for all parties concerned.</p>

	<p>Participation at international level is important in order to implement the economically beneficial harmonisation of technical solutions at global level as far as possible, and to introduce the European protection objectives already at international level.</p>
<p>12. <i>In your opinion, where is the major added value in European standardisation with respect to national standardisation?</i></p>	<p>It should be avoided to create the impression that national and European standardisation are two opposed sides, because in fact they complement each other perfectly. European standardisation has considerably reduced the number of standards applicable in Europe. For many subjects there is no longer a whole range of national standards, but only one European standard. This has reduced barriers to trade and improved aspects such as the compatibility of products. Nevertheless, national standardisation will continue to play an important role in some areas. Not least, it ensures the involvement of a broad range of stakeholders in the standardisation process, which would otherwise hardly be possible.</p>
<p><u>D. Cost of standards</u></p>	
<p>13. <i>What are, in your view, the most serious barriers to the use of standards by enterprises:</i></p> <p><i>costs of standards (purchasing price)?</i></p> <p><i>Costs of operational implementation?</i></p> <p><i>Access to information?</i></p> <p><i>Knowledge of existing standards?</i></p>	<p>The most serious barrier to the use of standards faced by enterprises is the time required to acquire the necessary skills. As any other tool, the tool of “standards” requires the users to familiarize themselves with the collection of standards, to understand it and finally use it. In principle, those interested will find sufficient possibilities to make themselves familiar with the matter. However, the necessary resources are not always made available to them because their companies set different priorities. The situation is further aggravated by the fact that some standards are so complex that someone who has not participated in its development will have trouble understanding it at all. These problems are however unlikely to be solved by administrative measures. The same applies to the complexity of the collection of standards as a whole, which will probably act as a deterrent for all those who have to deal with it for the first time. “Standards advisers” at national level might be helpful to tackle this problem. Associations etc. should contribute to their introduction. Creating a network between the advisers would also be beneficial.</p> <p>Neither the cost for the purchase of standards nor for the implementation of their content are likely to be a major barrier to the use of standards, at least not for manufacturers. Compared to the cost of procuring the information contained in standards on one’s own initiative, the purchasing price is of little significance. If the cost for implementation in practice is too high, that means that either the content of the standard is inappropriate, or the company prefers to opt for cheaper solutions because of other, individual reasons. Since standards are not mandatory, the decision of whether or not to apply them lies with the user, and cannot be controlled by administrative measures.</p> <p>For other groups – e.g. operators, OSH professionals in companies, users – the costs are indeed a barrier to the use of standards. The European Commission and the standards organisations should therefore think together about how access to safety-relevant standards can be made possible for these groups at low cost.</p>

	<p>The lack of access to information or knowledge on standards might play a role. However, the standards bodies have recently increased their efforts to improve the information they provide in such a way as to allow easy orientation – e.g. by making tables of content or abstracts available on their websites. In addition, free standards search tools tailored to the special needs of particular groups exist, such as NoRA (http://www.nora.kan.de/en) for the area of occupational safety and health. In order to always keep the body of standards up to date for the users, the standards bodies should introduce an updating service at low cost.</p>
<p><i>14. What could the standards organisations do, in addition to their current practice, to facilitate the access to standards, especially by SMEs?</i></p>	<p>The standards bodies could simplify programmes such as Perinorm for users with little experience, and make them available free of charge. In addition, they could increase their efforts to formulate standards in a more understandable way, thus making them easier to use.</p> <p>It would also be advisable to adapt standards to the needs of certain target groups such as craft and trade, individual sectors, SMEs, etc., e.g. by seeking to establish closer contact with the relevant associations.</p>