

## List of EU legislations in progress

Date / Update	Title of legislation	Responsible EC DG	New / revision	Stage	Comment
19.08.2024	Commission Implementing Regulation amending Implementing Regulation (EU) 2018/2067 as regards the verification of data and the accreditation of verifiers	DG CLIMA	revision	The European Commission adopted on 08 May 2024 the Implementing Regulation.  More information and the draft implementing regulation are available <a href="#">here</a> .	As part of the 'Fit for 55' package, the Emissions Trading System (ETS) Directive has been revised to align it with the new EU target set in the European Climate Law to reduce net greenhouse gas emissions by at least 55% (compared to 1990 levels) by 2030.  As a follow-up, the Commission needs to update several regulatory acts so the ETS is implemented in a uniform manner across the EU.  This initiative updates the rules for accreditation of verifiers used in verifying reports.
19.08.2024	Revision of the Construction Products Regulation (EU No 305/2011)	DG GROW	Revision	The agreed text on the draft CPR was endorsed on 2 February 2024 by Member States' ambassadors, and was approved by IMCO on 13 February 2024. The plenary	<a href="https://ec.europa.eu/growth/sectors/construction/construction-products-regulation-cpr/review_de">https://ec.europa.eu/growth/sectors/construction/construction-products-regulation-cpr/review_de</a>  The draft revised regulation has been published by the European

				<p>adopted the agreement on 10 April 2024.</p> <p>For more information about the state of play:</p> <p><a href="https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-revision-of-the-construction-products-regulation">https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-revision-of-the-construction-products-regulation</a></p>	<p>Commission for public consultation (see link above).</p> <p>This revision includes several provisions on accreditation, which needs to be commented. Specific attention needs:</p> <p>Recital 66, Articles 48 (2), 49 (6), 53, 55 (2).</p> <p>Please take part on the public consultation and contact your national authorities.</p>
19.08.2024	Mutual recognition of goods – evaluation of Regulation (EU) 2019/515	DG GROW	revision	<p>After the Feedback period, the European Commission opened the public consultation on the potential revision of Regulation (EU) 2019/515, which includes a questionnaire.</p> <p>The consultation period is: 20 June 2024 - 26 September 2024</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13974-Mutual-recognition-of-goods-evaluation_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13974-Mutual-recognition-of-goods-evaluation_en</a></p>	<p>Regulation (EU) 2019/515 on the mutual recognition of goods lawfully marketed in another Member State (the 'Regulation') applies since 19 April 2020. It replaced Regulation (EC) No 764/2008.</p> <p>According to Article 5 (8) of this Regulation, competent authorities of Member States of destination, when assessing goods that shall be placed on their market, shall take due account of the content of test reports or certificates issued by a conformity assessment body that have been provided by any economic operator as part of the assessment. The competent authorities of Member States of destination shall not refuse test reports or certificates that were issued by a conformity</p>

					<p>assessment body accredited for the appropriate field of conformity assessment activity in accordance with Regulation (EC) No 765/2008 on grounds related to the competence of that body.</p> <p>This Regulation is of paramount importance for EA and its members. Hence, EA and its members shall support the application of accreditation and conformity assessment - as defined in Regulation (EC) No 765/2008 – also for the non-harmonized sectors! This shall be maintained in Regulation (EU) 2019/515.</p>
19.08.2024	Proposal for a regulation: Certification of carbon removals – EU rules	DG CLIMA	New	<p>The European Commission published the draft Regulation on a Union certification framework for carbon removals, which was distributed for comments on 01 December 2022 – 23 March 2023.</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13172-Certification-of-carbon-removals-EU-rules_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13172-Certification-of-carbon-removals-EU-rules_en</a></p> <p>The proposal has been discussed in the European Parliament in March/April 2023.</p>	<p>The initiative will assess whether</p> <ul style="list-style-type: none"> <li>- An EU certification framework should set common minimum standards for the certification methodologies, including on monitoring, reporting and verification, or provide for comprehensive rules on the certification of each type of carbon removal.</li> <li>- The different functions, including the prior validation of projects and the subsequent verification of carbon removals achieved, should be carried out by private operators or by public</li> </ul>

				<p>A provisional agreement about the text was reached on 19 February 2024.</p> <p>The text was adopted by the Parliament on 10 April 2024 and will be confirmed by the new Parliament before the final sign-off from Council, signature ceremony and publication in the Official Journal, leading to it entering into force.</p> <p><a href="https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-carbon-removal-certification">https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-carbon-removal-certification</a></p>	<p>authorities, possibly as part of a centralised EU system.</p> <p>The impact assessment for this initiative will consider the economic, social and environmental impacts of options for the certification of carbon removals, notably on the scale of deployment and quality of carbon removals.</p>
19.08.2024	Proposal for a Regulation on the approval and market surveillance of non-road mobile machinery circulating on public roads and amending Regulation (EU) 2019/1020	DG GROW	New	<p>Commission adoption</p> <p>Feedback period 31 March – 26 May 2023</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/1198-Road-circulation-requirements-for-mobile-machinery_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/1198-Road-circulation-requirements-for-mobile-machinery_en</a></p> <p>The European Parliament adopted the text on 24 April 2024.</p> <p><a href="https://www.europarl.europa.eu/doceo/document/TA-9-2024-0345_EN.html#title2">https://www.europarl.europa.eu/doceo/document/TA-9-2024-0345_EN.html#title2</a></p>	<p>The proposed Regulation includes the mandatory accreditation of in-house technical services by its NAB according to Regulation 765/2008.</p> <p>Third-party technical services shall be assessed under the responsibility of the designating approval authority. The assessment report may include a certificate of accreditation issued by a NAB.</p> <p>When the assessment is not based on an accreditation certificate issued by a NAB attesting that the technical service fulfils the requirements of this Regulation, the designating</p>

					<p>approval authority shall provide the Commission with documentary evidence which attests the technical service's competence and the arrangements in place to ensure that the technical service is monitored regularly by the designating approval authority and satisfies the requirements of this Regulation and the delegated acts adopted pursuant to this Regulation.</p> <p>Therefore, the national authorities shall be encouraged that the assessment will be performed by the NAB!</p>
19.08.2024	Proposal for a Directive on substantiation and communication of explicit environmental claims (Green Claims Directive)	DG ENV	New	<p>Commission's proposal  <a href="https://environment.ec.europa.eu/publications/proposal-directive-green-claims_en">https://environment.ec.europa.eu/publications/proposal-directive-green-claims_en</a></p> <p>The Council adopted its general approach on 17 June 2024. In particular, the Council introduced a simplified procedure for certain types of explicit environmental claims that are of a less complex nature, for which verification by a third-party verifier or a full substantiation assessment would not be necessary (e.g.</p>	<p>Mandatory accreditation of verifiers!</p> <p>The proposal for a Directive on Green Claims will address greenwashing by tackling false environmental claims made towards consumers, and stopping the proliferation of public and private environmental labels. Together with the March 2022 proposal for a Directive on empowering consumers for the green transition, the new rules establish a clear regime for environmental claims and labels. They aim to ensure that</p>

				<p>for claims stating that an environmental characteristic of a product or a trader exceeds minimum requirements set out in other EU acts).</p> <p><a href="https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-substantiating-green-claims">https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-substantiating-green-claims</a></p>	<p>consumers receive trustworthy information about the environmental credentials of the products they buy.</p> <p>The proposed directive would require Member States to ensure that minimum requirements for substantiation and communication are respected by companies when they make voluntary green claims. Member States will be responsible for setting up verification and enforcement processes, to be performed by independent and accredited verifiers.</p> <p>A 'verifier' must be an officially accredited independent body, with no conflicts of interest to ensure independence of judgment and hold the highest degree of professional integrity. They must have the required expertise, equipment, and infrastructure to carry out the verifications as well as enough suitable personnel that observe professional secrecy.</p> <p>More information see <a href="https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_1693">https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_1693</a> .</p>
19.08.2024	Revision of the Toy Safety Directive - Proposal for a regulation	DG GROW	Revision	The proposed Regulation has been published for public	This revision is focused on hazardous chemical substances

				<p>consultation. The feedback period closed 31 October 2023.</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13164-Protecting-children-from-unsafe-toys-and-strengthening-the-Single-Market-revision-of-the-Toy-Safety-Directive_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13164-Protecting-children-from-unsafe-toys-and-strengthening-the-Single-Market-revision-of-the-Toy-Safety-Directive_en</a></p>	<p>rules. There is no issue regarding third party conformity assessment. But in order to make toys safer third-party conformity assessment (Notified Bodies) would be important.</p> <p>It could be a good moment to encourage the national authorities to consider third-party conformity assessment in this proposed regulation.</p>
30.10.2023	<p>Commission Implementing Regulation laying down common procedures and detailed rules for accessing and processing electronic freight transport information by competent authorities in accordance with Regulation (EU) 2020/1056 of the European Parliament and of the Council.</p>	DG MOVE	new	<p>The European Commission adopted the Implementing Regulation on 05 July 2024.</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13661-Electronic-freight-transport-information-eFTI-procedures-and-access-rules-for-competent-authorities_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13661-Electronic-freight-transport-information-eFTI-procedures-and-access-rules-for-competent-authorities_en</a></p>	<p>This implementing act sets out harmonised procedures, rules and technical specifications to be followed by competent authorities of EU countries in order to access the electronic freight transport information (eFTI) platforms of transport operators.</p> <p>The aim is to guarantee that any eFTI platform can be accessed by the competent authorities of any EU country and to assure transport operators that the competent authorities handling their data are properly identified, authenticated and authorised.</p> <p>One element of this regulation is that the detailed requirements and standards should be made publicly available to enable their implementation by interested eFTI platforms developers, and to</p>

					<p>enable the accredited conformity assessment bodies to assess their compliance with the specifications.</p> <p>Note: Pursuant to Regulation (EU) 2020/1056 conformity assessment bodies shall be accredited in accordance with Regulation (EC) No 765/2008 for the purposes of performing the certification of eFTI platforms and eFTI service providers.</p> <p>The European Commission is also preparing a delegated act on rules for certification of eFTI platforms &amp; service providers.</p>
20.10.2023	Proposal of a Regulation on preventing plastic pellet losses to reduce microplastic pollution	DG ENV / GROW	new	<p>This Commission's adopted act is open for feedback for a period of 8 week(s).</p> <p>Feedback period: 16 October - 15 December 2023</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12823-Microplastics-pollution-measures-to-reduce-its-impact-on-the-environment_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12823-Microplastics-pollution-measures-to-reduce-its-impact-on-the-environment_en</a></p>	<p>This initiative aims to tackle microplastics unintentionally released into the environment. It will focus on labelling, standardisation, certification and regulatory measures for the main sources of these plastics.</p> <p>The proposed Regulation includes requirements on accreditation of certifiers within the means of Regulation (EC) 765/2008.</p> <p>It includes also the parallel route for certifiers via Regulation (EC) No 1221/2009 (EMAS).</p>



16.06.2023	Air quality - revision of EU rules	ENV	revision	<p>The proposed directive has been published in October 2022 and was distributed for public comments until March 2023.</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12677-Air-quality-revision-of-EU-rules_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12677-Air-quality-revision-of-EU-rules_en</a></p>	
16.06.2023	Evaluation of the Electromagnetic Compatibility Directive 2014/30/EU	GROW	revision	<p>The Commission Staff Working Document on the Evaluation of the Electromagnetic Compatibility Directive 2014/30/EU has been published in January 2023.</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023SC0007">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023SC0007</a></p>	
15.03.2023	EU Ship Recycling Regulation (SRR)	DG ENV	Revision	<p>The Commission opened the public consultation about the evaluation of the SRR.</p> <p>Consultation period: 15 March 2023 - 07 June 2023</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13377-EU-Ship-Recycling-Regulation-evaluation_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13377-EU-Ship-Recycling-Regulation-evaluation_en</a></p>	<p>The current SRR includes specific requirements for ships and ship recycling facilities. It contains an authorisation process for ship recycling facilities within the EU, but without third party conformity assessment to demonstrate compliance with the SRR. Only facilities in third countries shall demonstrate that they fulfil all the criteria in the SRR. For this purpose an Independent Verifier are tasked with certifying the facility against the SRR requirements. According to the</p>

					<p>Technical guidance note to the SRR the Independent Verifier 'should' be accredited according to ISO/IEC 17020.</p> <p>It would be much better to revise the SRR in order to require third-party conformity assessment regarding all ship recycling facilities, within the EU and outside the EU.</p> <p>This should be discussed with the national regulators!</p>
03.06.2022	Train drivers – improved EU certification scheme	DG MOVE	New	<p>There is a public consultation regarding a harmonised certification scheme for train drivers, because several shortcomings have been identified in the current Directive 2007/59/EC on the certification of train drivers operating locomotives and trains on the railway system.</p> <p>Consultation period: 01 June 2022 – 01 September 2022</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13169-Train-drivers-improved-EU-certification-scheme_en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13169-Train-drivers-improved-EU-certification-scheme_en</a></p>	<p>According to Directive 2007/59/EC Article 20, Persons or bodies accredited under this Directive shall be accredited by an accreditation body appointed by the Member State concerned. The accreditation process shall be based on criteria of independence, competence and impartiality, such as the relevant EN 45 000 series European standards and on the evaluation of a dossier submitted by candidates which provides appropriate evidence of their skills in the area in question.</p> <p>Important will be to introduce in the proposed Regulation accreditation according to Reg. 765/2008!</p>

09.03.2022	Energy efficiency – ecodesign and energy labelling requirements for hydronic central space heaters and combination heaters (review)	DG ENER	New	<p>Call for evidence for an impact assessment</p> <p>Feedback period: 03 March - 31 March 2022</p>	<p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13202-Energy-efficiency-ecodesign-requirements-for-space-and-combination-heaters-review-en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13202-Energy-efficiency-ecodesign-requirements-for-space-and-combination-heaters-review-en</a></p> <p>Type of the initiative:</p> <ul style="list-style-type: none"> <li>- Commission implementing regulation (ecodesign)</li> <li>- Commission delegated regulation (energy labelling)</li> </ul> <p>One problem among others the initiative aims to tackle is the absence of third-party certification for innovative heating products which undermines the credibility of harmonised test procedures, leading to national test and accreditation initiatives, which fragment the single market.</p> <p>It will be important that third-party conformity assessment will be used underpinned by accreditation according to Regulation (EC) No 765/2008.</p> <p>Hence, EA members shall contact their national authorities and influence this new proposed regulation accordingly!</p>
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14.01.2022	Plant and forest reproductive material (revised rules)	DG SANTE	Revision	<p>Proposal for a directive</p> <p>The Inception impact assessment has been carried out in June/July 2021.</p> <p>The public consultation started on 21 December 2021 and will last until 27 March 2022.</p> <p>The adoption by the Commission is planned for the fourth quarter of 2022.</p>	<p>Topic: Food safety</p> <p>This revision aims to:</p> <ul style="list-style-type: none"> <li>- align EU legislation on plant &amp; reproductive material with the political objectives of the Green Deal and its farm to fork, biodiversity, climate adaptation, digital and forest strategies</li> <li>- support technical developments, sustainable and climate-resilient agri-food systems &amp; forests, and conserve biodiversity and plant &amp; forest genetic resources</li> <li>- remove barriers to trading on the single market.</li> </ul> <p>Accreditation and certification according to Regulation 765/2008 can play a role. This should be discussed on the national level with the responsible authorities.</p> <p>Further information about this initiative:</p> <p><a href="https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13083-Plant-and-forest-reproductive-material-revised-rules-en">https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13083-Plant-and-forest-reproductive-material-revised-rules-en</a></p>
04.08.2021	Potential regulation on Ecodesign requirements for photovoltaic modules, inverters and systems	GROW	new	draft proposed regulation shall be published in autumn 2021	EA is in contact with the EC, EA TFG established,

					Discussion on the best approach on third-party CA under the NLF.
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