

European Commission
DG Enterprise and Industry (ENTR/I/5)
100, Rue Belliard / Belliardstraat 105
B-1049 Brussel / Bruxelles
Belgium

June 24, 2008

Dear Sir,

Consultation by the European Commission on the future of the eight ‘Old Approach’ Legal Metrology Directives

Thank you for the invitation to give a response to the European Commission Consultation on the future of the eight ‘old approach’ legal metrology directives remaining under the framework directive 71/316/EEC, which are currently under review.

LACORS is the Local Authorities Coordinators of Regulatory Services in the United Kingdom, and is responsible for overseeing local authority regulatory services. Local authorities in the United Kingdom are responsible for the enforcement of legal metrological requirements and many are also Notified Bodies under both the Measuring Instrument, and the Non-automatic Weighing Instruments Directives. LACORS is the Co-convenor of WELMEC Working Group 5 (Metrological Supervision).

It is our view that, whilst some should be revoked, a number of these should be replaced by directives in the ‘New Approach’ framework. This would bring all remaining controlled sectors of measuring instruments in line with similar provisions that apply to those covered by the MID and the NAWI Directive. We would support this principle because it would bring uniformity by imposing a mandatory requirement on all Member States.

This would mean that, wherever a Member State regulated a measuring instrument of that type, the applicable regulations would have to conform to the new directive. Member States would no longer have the option of regulating using alternative criteria as was possible under the “optional” old approach directives. However, the national market could be unregulated, which would effectively provide free access to instruments from other Member States in which the instrument in question was regulated.

In our view, the following directives should be replaced by ‘new approach’ directives;

Directive 71/317/EEC on medium accuracy bar weights and cylindrical weights

Directive No. 74/148/EEC on above-medium accuracy weights

Directive 75/33/EEC on cold-water meters (outside MID)

Directive 86/217/EEC on tyre pressure gauges for motor vehicle.

This would complement the existing controls under the Measuring Instruments Directive 2004/22/EC (MID), and provide a uniform framework for legal metrological controls.

In our view, the remaining directives relating to alcohol meters and alcohol tables, standard mass of grain and calibration of ships tanks could be revoked. We note that the consultation is only in respect of the 'old approach' directives relating to metrological equipment, and NOT in respect of those relating to prepackages.

We make the following comments in respect of any potential future review of the 'old approach' directives relating to pre-packages.

In our view, the directives relating to the making-up by volume of certain prepackaged liquids (Directive 75/106/EEC as amended), and the making-up by weight or volume of certain pre-packaged products (Directive 76/211/EEC as amended) should NOT become 'new approach' directives. The increased costs and burdens on business, and Notified Bodies, would far exceed any benefits.

I am happy for this response to be disclosed, and would be happy to answer any questions.

Yours faithfully,

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