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WORKING DOCUMENT

From: To:	General Secretariat of the Council Antici Group (Simplification)
N° prev. doc.:	ST 12523/25, ST 12524/25
Subject:	Omnibus IV - Digitalisation and common specifications - Explanatory note for the AGS on 11 September

With a view to the meeting of the Antici Sub-group on Simplification on 11 September 2025, delegations will find attached an explanatory note from the Presidency accompanying the revised Presidency compromise texts as set out in documents 12523/25 and 12524/25.

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Explanatory Note

Antici Group on Simplification (AGS)

Omnibus IV: Digitalisation and common specifications

2nd Presidency compromise text

The purpose of this explanatory note is to provide delegations with additional information, clarifications and reasoning for the amendments proposed by the Presidency. The explanations refer to the changes compared to the previous compromise texts.

The explanatory note follows the order of the relevant provisions.

ARTICLE	REASONING
General comments	
Digital contact	Wording amended for clarification regarding specificity.
Definition of 'common specification'	Changed to singular.
DoC and instructions in the DPP	Wording has not been changed. Where the TSR kept a voluntary approach to using the Digital Product Passport (DPP) for displaying the Declaration of Conformity (DoC), this omnibus makes it mandatory in order to streamline the accessibility of product data towards using the DPP as the default, when a DPP is in required. This is also in line with the wording of the ESPR where instructions and DoC is already mandatory to include in the DPP (ESPR art. 27(7) and annex III.).
Deadline for paper format	Current text maintained (6 months everywhere except for machinery, as in the original legislation).
Request to extend deadline for art. 79 in ESPR	Request not included. The amendment would go beyond the scope of digitalisation and common specifications as e.g. also the substance of the ecodesign requirements and the information requirements for the covered products are also included in art 79 and would thus be postponed.
Common specifications	Definition and framework have been clarified and corrected with the wording in the Toys Safety Regulation.

	Reference to Annex II was not correct for all Regulation and Directives. It has been removed for simplification of text.
Normative documents	Drafting suggestion for MiD has been amended so normative documents are referenced correct.
Regulation **Recitals**	
Recital 4	”Harmonisation” added.
Recital 7	Changed for concrete wording and simplification.
Recital 8	Wording amended for clarification on the direct accessibility. Wording added for the obligations for providing clarity regarding the terms “consumer”, “end-user”, “safety information” and acknowledging the needs for vulnerable or those with limited digital literacy.
Recital 10	Wording on recognition of SMEs.
Recital 11	Amended for clarification and cohesion.
Amendments to Regulation (EU) 2016/424	
Article 2 (2a)	Amended for clarification.
Article 2 (2d)	Amended for clarification.
Article 2 (4b)	Amended for clarification.
Article 2 (5a)	Reference to article added.
Article 2 (6)(1)	Reference to annex.
Amendments to Regulation (EU) 2016/425	
Article 3 (1a)	Amended for clarification.
Article 3 (2d)	Amended for clarification.
Article 3 (4)	Amended for clarification.
Article 3 (4a)	Amended for clarification.
Article 3 (5)	Amended for clarification.
Article 3 (7)	Amended for clarification.

Amendments to Regulation (EU) 2016/426	
Article 4 (2)	Amended. Regulation 2016/426 only provide instructions and safety information for appliance, and not for fitting.
Article 4 (4a)	Amended for clarification.
Article 4 (9b)	Amended for clarification.
Amendments to Regulation (EU) 2023/1230	
Article 5 (new 2b)	New para added to avoid contradiction in definitions of digital contact in 2023/1230.
Article 5 (9)	Partly amended for clarification.
Amendments to Regulation (EU) 2023/1542	
Article 6 (4b)	Amended for clarification.

ARTICLE (Directive)	REASONING
Amendments to Directive 2011/65/EU (RoHs Directive)	
Article 2 (b)	Amended for specificity towards product.
Article 2 (6)	Amended for alignment with directive.
Amendments to Directive 2014/29	
Article 4 Wording: consumer / end-user	Wording maintained in the operative part with explanation in recital 8
Amendments to Directive 2014/33/EU	
Article 8 “Product” replaced by “lift”	Amended for specificity towards product

Amendments to Directive 2014/68/EU	
Article 12 (2a) Comment on pressure equipment	Suggestion accepted. Ensuring consistency with overall framework for common specifications.
Amendments to Directive 2014/90/EU	
Article 13. Information on the product (marine equipment)	Explained in recital.
Transposition	
Article 15(1)	Prolonged transposition period of 18 months.

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