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NOTE

From:	Presidency
To:	Working Party on Technical Harmonisation (SMEI Omnibus)
Subject:	SMEI Omnibus: Presidency Flash

Working Party on Technical Harmonisation (SMEI omnibus)
20 November 2023
FLASH

Dear colleagues,

The Presidency are happy to welcome you to the Technical Harmonisation Working Party (SMEI Omnibus) which will take place on 20 November at 9.30 (morning only). The aim of the meeting is to brief delegations about the latest discussions with the Parliament and to ask delegations positions on the provisional compromises.

On 16 November, the Presidency and the Parliament discussed the first compromise proposal on Article 1 of the proposal for the Regulation. The outcome of this discussion is reflected in document WK 15315/23.

We first discussed the scope. The Parliament insisted on the inclusion of the General Product Safety Regulation into the scope, in order to allow the standards to be used for some of the non-harmonised products, like textile face-masks. The Presidency explained the reasons for deleting the 5 harmonised products from the scope in the Council's text.

As regards the free movement of goods, the Presidency explained again the Council's concerns as regards the safety of the products put on the market following the emergency conformity assessment. The Parliament is reflecting if they could consider the Council's solution ensuring the free movement of those emergency products.

The positions diverge the most as regards template provision in Article 1e on standards, where the Parliament did not introduce the hierarchy of standards.

The Presidency is inviting the delegations to check the green and yellow lines in document WK 15315/23 and flag any substantial problems with the agreed text.

In addition, delegations will be invited to reflect on the following elements:

- a) Scope and the inclusion of General Product Safety Regulation
- b) Standards
- c) Lines 43 and 46.

The Spanish Presidency SMEI omnibus team



Windmills- Campo de Criptana- Castilla La Mancha (Spain)

