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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
Subject:	Omnibus IV – Digitalisation and common specifications – Presidency discussion note

Delegations will find enclosed a note by the Presidency with a view to steering the discussion on the proposals on digitalisation and common specifications at the meeting of the Antici Group (Simplification) on 14 July 2025.

Danish Presidency
Council of the European Union

Presidency Discussion Note

Antici Group on Simplification (AGS)

Monday, 14 July 2025

Omnibus IV proposals on digitalisation and common specifications

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Dear Colleagues,

During the afternoon session on 14 July, we will have the first AGS meeting under the Danish Presidency on the Omnibus IV package regarding both digitalisation and common specifications. Continuing the discussions during the Polish Presidency at the AGS meetings on 6 and 16 June, as well as the written comments received from Member States by 23 June, the meeting on 14 July will aim to:

1. move closer towards agreement on a streamlined approach to common specifications anchored in existing legislation

2. move closer towards agreement on the digitalisation part – Digital Contact, Declaration of Conformity, Manuals and safety information and Digital Product Passport.

Common Specifications

We will begin with a discussion on common specifications. During the meeting, the Presidency will briefly summarize the written comments received from Member States on common specifications as the departure for a discussion on a favoured approach going forward. Based on the discussions and the written comments, the Presidency will aim to present a first draft compromise text at the next meeting on this topic.

We note that several Member States express a preference for an existing wording from either Regulation (EU) 2023/1230 on machinery, the Toy Safety Regulation (currently under legal-linguistic revision), and/or Regulation (EU) 2024/1781 on Eco-design for Sustainable Products. This reflects a clear indication that Member States wish to adopt an existing framework for common specifications, ensuring its application with safeguards and proportionality.

The Presidency suggests that the text from the Toy Safety Regulation is applied, given that this is the most recently agreed text by the co-legislators.

Furthermore, we observe that some Member States suggest removing the inclusion of ‘urgent concern’ as a criterion for common specifications. Also, some Member States raise concerns regarding Regulation (EC) No 765/2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products being in scope, given the global recognition of the current accreditation system. In this regard, some Member States fear that the proposed approach will lead to the establishment of a parallel accreditation system in the Union.

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Lastly, we have noted individual comments suggesting specific changes to aspects such as definitions, wordings and other related topics.

To guide the discussion, we kindly invite delegations to prepare answers to the following questions:

1. Can you support using the wording on common specifications from the Toy Safety Regulation as the approach for the various legal acts in the proposal??

   If you respond positively to question 1, can you accept the use of the examination procedure for implementing acts, instead of the proposed advisory procedure, in line with the Toy Safety Regulation?

2. Given the use of an existing framework for common specifications, for instance the Toy Safety Regulation, ensuring common specifications as a fall-back option, do you have preferences on the inclusion of Regulation (EU) No 765/2008 in the scope of the proposal?

Member States have suggested not to include 'urgent concern' as a criterion for common specifications. Would you allow for any adjustments to the preferred option in question 1, given the Commission's concern of them being insufficient for the current circumstances in the standardization system?

Digitalisation

For the second part of the meeting, we will discuss the digitalisation part of the proposal. The Presidency will first summarize the written comments received from Member States on digitalisation and initiate a discussion on the most pressing issues. Based on the discussions, the Presidency will aim to present a first draft compromise text at the next meeting on this topic.

Following the written comments received and previous discussions in the AGS, the Presidency has noted general support for the proposal on digitalisation, namely:

- provision of EU declarations of conformity in an electronic format
- addition of an "digital contact" to products
- allowing electronic formats for instructions and safety information without hampering the right or need of consumers and other end-users to obtain the necessary information in paper format
- mandating that reporting obligations to national authorities follow an electronic form
- mandating that exchange between economic operators and competent authorities is electronic
- mandating the digital product passport as the data carrier for EU declaration of conformity and instructions when the product is subject to other Union legislation requiring the use of a digital product passport.

Furthermore, the Presidency has noted several Member States calling for a clear definition of 'digital contact' in order to clarify consumers' optionality to receive product instructions easily in both electronic and paper format. Some Member States also stress the need to clearly indicate that safety information should

accompany products in paper format, while also allowing for easy access to this safety information in an electronic format.

To guide the discussions at the meeting, the Presidency kindly invite delegations to prepare answers to the following questions:

1. Do you have any comments on the direction outlined above for any of the legal acts in scope of the proposal?

2. Do you have any preferences as regards existing definitions of "digital contact" in already adopted legislation?

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We look forward to seeing you on 14 July.

Kind regards

DK Presidency Team

Antici Group on Simplification

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