



Japan Machinery Center
for Trade and Investment

August 22nd, 2025

Our Comments on the Omnibus IV, Digitalisation and alignment of common specification

Dear Sirs,

The Japan Machinery Center for Trade and Investment (“JMC”) is a non-profit organization with the character of a public-interest corporation. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of the JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 240.

Our committee handles environmental and product safety issues regarding products for trade and is strongly concerned with overseas environment- and product safety-related regulations on products. From this standpoint, we would like to send our comment on the Omnibus IV, Digitalisation and alignment of common specification.

If you have any questions, please feel free to contact our secretariat (Ms. Akari Shiga, E-mail: shiga@jmcti.or.jp).

Sincerely yours,

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JMC comments on Omnibus IV, Digitalisation and alignment of common specifications

We welcome the opportunity to participate in the public comment call for the Omnibus IV Proposed Directive (COM (2025) 503) for Digitalisation and alignment of common specifications.

https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14698-Omnibus-Directive-Aligning-product-legislation-with-the-digital-age_en

JMC strongly supports the policy of Omnibus package IV simplifying product legislation and reducing bureaucracy in the European Single Market.

However, we are deeply concerned that there are clauses in the proposed Directive for digitalisation and alignment of common specifications that will increase the administrative burden on companies.

We would like to ask that the final amending Directive be in line with the following proposals.

1. “Common specifications” should be removed altogether from Article 2 of the Proposed Directive (COM (2025) 503) (Proposed Amendment to Directive 2011/65/EU).

Reason: Electrical and electronic equipment and machinery equipment are often subject to multiple product legislation. For example, a single printer model may be subject to the EMC Directive, the Low Voltage Directive, the RoHS Directive, and the Ecodesign regulation, and must comply with their respective harmonized standards and delegated acts. Even if the harmonized standards and delegated acts for each product legislation are revised every several years, the combination of them leads to design changes, preparation of technical documentations, and issuance of Declarations of Conformity almost every year, which is already a large administrative burden for companies. Adding common specifications to this situation would place an additional administrative burden and deprive companies of resources for innovation. This defeats the goal of the Omnibus package, which is to reduce the administrative burden, reduce bureaucracy in the Single Market, and encourage innovation.

In addition, the nature of the common specifications to be promulgated as an implementing act in accordance with advisory procedures may result in insufficient technical reviews by experts of actual products, which can threaten product compliance.

In particular, with regard to Directive 2011/65/EU, it is widely recognized that the existing

compliance framework, based on the harmonized standard, is already being effectively leveraged across the complex supply chains of electrical and electronic equipment. The Commission proposal gives the Commission the right to adopt Common Specifications by delegated act when corresponding to any of the following conditions (a) to (c).

- (a) requirements set out in Article 4 are not covered by harmonised standards, or parts thereof, the references of which have been published in the Official Journal of the European Union;
- (b) requirements set out in Article 4 are covered by harmonised standards, or parts thereof, the references of which have been published in the Official Journal of the European Union, but application of those standards or parts thereof results in non-compliance of materials, components and EEE with the essential requirements set out in Article 4;
- (c) where the Commission considers that there is a need to address an urgent concern with regard to non-compliant materials, components and EEE.

Since there are no clear criteria on how to meet the abovementioned conditions, we have serious concerns about the potential establishment of common specifications by the Commission's arbitrary judgement without due consideration of the practical realities faced by manufacturers.

- A)** Electrical and electronic equipment and machinery equipment rely on a globally extended supply chain. Ensuring compliance with substance restrictions in complex articles necessitates coordinated management across the entire chain and it is desirable to use the international standards. The current hazardous substance management system based on harmonised standards was established and has continued to operate in the global supply chain since more than 10 years ago through huge efforts in industries and the EU and many countries which introduced RoHS-like laws, and the system became the international standard. Because suppliers in countries and regions respect the international standards, they can basically take compliance actions in accordance with the same standards throughout manufacturing and distribution worldwide. However, if a common specification which is only applicable to the EU is separately established, it might cause further operational burden rather than simplification. It is considered to be difficult for the common specification to be recognised globally and is highly likely to cause confusion in the global supply chain, which has been taking compliance action in accordance with the international standards. Furthermore, creating common specifications that apply exclusively to Europe could result in the withdrawal of many products that meet hazardous substance restrictions from the European market.
- B)** The current proposal regarding common specifications does not provide for gathering input from relevant stakeholders during the development process. This raises the risk of unilateral regulatory

measures being introduced without sufficient discussion, deliberation, or technical justification. Furthermore, we would like to respectfully highlight that the proposed process may not sufficiently address the technical analyses or regulatory impact assessments, which are indispensable given the specialized expertise needed for the products and components involved.

For these reasons, we believe that the technical requirements under Directive 2011/65/EU should continue to be defined through harmonised standards developed with the involvement of technical experts. This ensures both regulatory soundness and practical feasibility across global supply chains.

2. Replace all “digital contact” with “electronic address” and replace all definitions of “digital contact” with the definition “electronic address means an electronic address of the single contact point at which they can be contacted” for both Proposed Directive (COM (2025) 503).

Reason: Although Regulation (EU) 2023/988 is not included in the proposed amendments, the “digital contact” in the proposed amendments and the “electronic address” in Regulation (EU) 2023/988 are considered to be almost synonymous. Many companies deal with both products covered by Union harmonisation legislation and products that are not subject to it and displaying an “electronic address” in accordance with Regulation (EU) 2023/988. If it is interpreted that there is a difference between these two wordings and there is an obligation to display and operate differently between these two wordings, it will place a large administrative burden on the companies and will be contrary to the purpose of the Omnibus package. We propose to bring it in line with Regulation (EU) 2023/988, which will remain in its current form. This approach would be beneficial for both companies and consumers through simple management for companies and better understanding for consumers by establishing a “single contact point”.

3. The application of all the amendments to the requirements for indicating the information of manufacturers, importers, and authorised representatives on products, for example, Article 2(2)(c) and Article 2(4)(a), should be 36 months after the date of entry into force instead of 24 months.

Reason: In the Article 1(2) of proposed amendments COM (2025) 531 to the CLP Regulation (Regulation (EC) No 1272/2008) etc. under the Omnibus Package VI, it is proposed to add “digital contact” to the supplier information required as a label element (CLP Regulation (Regulation (EC) No 1272/2008) Article 17-1(a)), and the application of this requirement is set at 36 months after the

date of entry into force. If a transition period of 36 months is granted for labelling for hazardous chemicals, it should also be acceptable to provide a similar transition period for products covered by the Directive subject to this amendment proposal. Furthermore, there are businesses that supply both products subject to the Directives which would be amended by this proposal and those subject to the CLP Regulation. To avoid confusion and to reduce the burden of changing product labelling, the longer transition period of 36 months should be adopted for both.

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