

## **Allowing private reverifications of weighing instruments in all EU member states will benefit users and consumers**

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### **Reverification of weighing instruments to ensure trustworthy scales**

To ensure customers in supermarkets can trust the scale they are using to weigh the vegetables they want to buy, those scales need to meet strict requirements before they are placed on the market. Those requirements for supermarket scales and all other weighing instruments are set in European legislation. After the weighing instrument is placed on the market it needs to be verified regularly to ensure they are still functioning correctly and precisely.

The European weighing instrument industry, represented by CECIP, believes the reliability and trustworthiness of weighing instruments is of utmost importance and works continuously to ensure reliable and trustworthy weighing instruments are placed on the market. Therefore, the European weighing industry is strongly convinced that their weighing instruments that are used and maintained correctly will remain reliable and accurate. Still, proportionate measures to guarantee this reliability and accuracy are supported by CECIP.

National legislation sets the rules for these subsequent controls. In most countries the subsequent controls are mandatory reverifications that need to be carried out on a periodic basis and after repairing the instrument. This means that the end-users such as retail companies, traffic authorities and the processing industry need to regularly request a reverification of their weighing instrument. This reverification is done by a third-party that will verify the weighing instrument and adjusts the scale if necessary.

In most countries these third-parties can be private entities such as weighing instrument manufacturers that are authorised to carry out the reverifications. Those companies meet strict requirements before they are authorised to guarantee reliability. However, in some countries only government bodies can carry out these reverifications. CECIP is strongly convinced that it is better for end-users, the weighing industry and consumer protection if private companies including manufacturers are allowed in all countries to carry out these weighing instrument reverifications.

### **Opening market more beneficial for end-users and society**

There are various reasons why it is beneficial to open the market for weighing instrument reverifications to private companies. First of all, in general, competition will improve service quality at lower costs for end-users. Evidence from Spain shows that increased competition in the reverifications can reduce the costs by a factor five. Moreover, competition will stimulate organisations carrying out reverification to provide better service.

Additionally, by allowing manufacturers to carry out the reverifications after repairing the weighing instrument precious time is saved. This reverification can be carried out during the same visit as the repair.

If a reverification by a manufacturer would not be allowed, a government body would need to come another time to do the reverification. In cases such as the food processing industry the production line needs to be stopped again with all kind of negative consequences. In other cases, heavy weights of more than 15 tonnes are needed to verify an industrial scale after repair. It is highly inefficient if those weights need to be transported another time after the repair for the reverification by a government body. Hence, the reverification by a manufacturer is more efficient and avoids unnecessary disruptions in production.

Furthermore, end-customers will have more choice between different organisations that provide the service that best fits their needs. Certain companies prefer fast service and are willing to pay a higher price, others need less urgent responses and prefer lower cost service. Currently, they only have one choice in certain countries.

For consumer protection private reverification has also significant advantages. The government capacity that is currently used to do reverifications can be used for market surveillance purposes. The relevant government bodies have more time available to check the weighing instruments where there is a higher risk of problems instead of checking all weighing instruments.

### **Reliability no reason for keeping market closed for government agencies**

A counterargument could be that government bodies are more reliable for carrying out these reverifications. However, in countless occasions private companies provide high-quality services in often more sensitive areas than weighing instruments. Notably, the initial verification according to weighing instrument legislation is mostly done by weighing instrument manufacturers themselves. The requirements set in EU legislation for this initial verification are even stricter than for the reverifications. In other words, a manufacturer is trusted to ensure the weighing instrument is meeting stringent requirements when placing the instrument on the market. However, when a reverification is required several years later certain member states do not allow a manufacturer to carry out this task anymore. It can even be argued that the manufacturer is the best party to carry out the reverification as they know the specific weighing instrument best.

In other situations, such as road safety private entities are also trusted to carry out the technical inspection. For example, in Germany private entities are trusted to check a car that can drive up to 150 km/h on the highway, while a scale at the local butcher can only be checked by a government agency.

CECIP believes the reliability of reverifications is similar, or if anything higher, when being carried out by manufacturers instead of government bodies. Experience from member states where private reverifications are allowed confirm that it does not impact the reliability of weighing instruments. Particularly, since member states can still carry out market surveillance activities to check if weighing instruments function properly if they think there is a doubt. Hence, reliability is not a sufficient reason to keep the market for weighing instruments restricted to government bodies.

### **All EU member states should allow private entities to carry out reverifications**

Allowing private parties including manufacturers to carry out the reverifications will reduce price and improve the service quality. At the same time the quality of the reverifications can be guaranteed by private entities as is proven in many other situations. The private entities are accredited according to high standards and controlled on a regular basis to ensure the quality.

In the majority of EU member states (e.g. Austria, France, Italy, the Netherlands, Italy and Spain) reverification by private parties is already possible. In these countries the experiences are positive. Harmonisation of legislation is one of the cornerstones of the European cooperation and CECIP believes that more harmonisation in the area of private reverifications should be promoted. An overview of the situation in the different countries can be found in the annex.

CECIP is convinced that it is beneficial for end-users, industry and consumers to allow private entities including manufacturers to carry out reverifications of weighing instruments in all EU member states. CECIP asks member state authorities to open the market for private reverifications where this is not the case yet. The European Commission is requested to support this opening of the market.

*CECIP ([www.cecip.eu](http://www.cecip.eu)) is the European association representing the weighing instrument industry. Founded in 1958, CECIP has currently members in 14 countries. The weighing instrument industry in Europe is world leader and consists of around 700 companies that are mostly SMEs. The total turnover is approximately 3 billion euro and the industry employs about 50.000 persons.*

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## Annex I – Overview reverification requirements EU members states

	Manufacturers or service partners authorised undertake reverifications	Third parties (private) undertake reverifications	Authorisation required
Austria	Yes	Yes	Yes
Belgium	Yes	Yes	Yes
Croatia			
Cyprus	Yes	Yes	Yes
Denmark	Yes	Yes	Yes
Estonia	Yes	Yes	Yes
Finland			
France	Yes	Yes	Yes
Hungary			
Ireland	Yes	No	Yes
Italy	Yes	Yes	Yes
Latvia			
Netherlands	Yes	Yes	Yes
Portugal	No	Yes	Yes
Romania	Yes	Yes	Yes
Slovenia	Yes	Yes	Yes
Spain	No <sup>1</sup>	Yes	Yes
Sweden	Yes	Yes	
UK	Yes	No	Yes
Germany	No	No	
Lithuania	No	No	
Czech Republic	No	No	
Slovakia	No	No	
Malta	No	No	
Luxembourg	No	No	
Bulgaria	No	No	
Greece	No	No	
Poland	No	No	

<sup>1</sup> For repairs a manufacturer can in practice carry out the reverification that is valid until the next periodical reverification