



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.9.2007
SEC(2007) 1137

COMMISSION STAFF WORKING DOCUMENT

Accompanying the

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**amending Council Directive 80/181/EEC on the approximation of the laws of the
Member States relating to units of measurement**

Impact Assessment Summary

**[COM(2007) 510 final
SEC(2007) 1136]**

The Impact Assessment concerns Directive 80/181/EEC on units of measurement. The directive requires that measurement in the EU is done in metric units, but also allows the use of supplementary indications (without defining what they are) until the end of 2009. After this date the directive would require all indications to be only metric and this would require cross-Atlantic trade to be continuously relabelled, essentially because the EU law on metric-only indications would then conflict with that in the US requiring dual labelling (metric and US inch/pound).

On the basis of the reactions to a Commission services working document during a public consultation, conforming to Commission minimum standards, three options have been distinguished.

- Option 1 - No action: a sundown clause would mean that by end of 2009 supplementary indications are no longer allowed. There could be a need to review the existing acquis requiring indications in non-SI units in specific cases such as kcal. No adaptation to technical progress. The UK and Ireland would remain under an obligation to fix a date ending remaining exemptions (pint, mile, troy ounce).
- Option 2- Repeal the directive: Member States would be free to base national law on international standards, as is the directive. Some Member States may for that reason decide not to have any regulation. Mutual recognition would apply according to Article 28 of the Treaty.
- Option 3 - Update the directive: adapt the directive to remedy the points mentioned under no action above, i.e. indefinite period of allowing supplementary indications (inch, pound) Supplementary indications cover sectors that use measurement for which no metric units exist. This option maintains the status quo and indefinitely extends all existing exemptions regarding the use of non-metric measurement. Also update where necessary as an adaptation to technical progress (the katal). The requirement on the UK and Ireland to fix a date for removing the remaining exemptions would also be repealed.

Option 3 to “update the directive” is the preferred option, because it maintains the existing situation and requires no new administrative costs, which in this area concern mainly labelling costs. This option includes a synergy between extending the use of supplementary indications and continuing the leeway as regards non-metric applications in the current practice of enforcing the directive, notably in sectors that use measurement for which no metric unit exists, e.g. binary measurements in computing (bits, bytes). This option would ensure a continued application of the current practice which has, on the whole, not shown major problems. Allowing UK and Ireland to continue with exemptions indefinitely (pint, mile, troy ounce) benefits most consumers who want the current situation to continue.

The main costs resulting from the alternative option 1 of “no action” would be administration costs which are significant and probably will be highest for small- and medium-sized enterprises due to less scale effects. In order to keep the impact assessment proportional no full estimate has been made according the standard cost model, but the quite similar estimates from various sources in industry are relied upon.

Costs resulting from the other alternative option 2 of “repealing the directive” are very uncertain but could easily be high and relate to the fact that Member States may implement the international standards differently thus causing uncertainty and possibly barriers to trade.

Also there might be costly losses on an incidental basis due to misunderstandings, for example the US Marslander spacecraft that crashed on Mars due to malfunctioning because inch/pound indications had been mixed up with metric indications in the production phase.

The option of authorising the supplementary indications for another 10 year period (a fourth deadline after 1989, 1999 and 2009) has been discarded as it would imply major future changes in at least three policy areas (In vitro diagnostics, nutritional labelling and intellectual property rights) and would not be considered as a positive signal for change in the United States, which if it allowed metric-only labelling would be rewarded by an EU trade barrier to labelling with supplementary indications.