



Council of the
European Union

Brussels, 20 September 2024
(OR. en)

13651/24

STATIS 98
COMPET 947
DELECT 171

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	2 September 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2024) 5987 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 2.9.2024 amending Regulation (EC) No 451/2008 of the European Parliament and of the Council as regards updating the classification of products by activity (CPA)

Delegations will find attached document C(2024) 5987 final.

Encl.: C(2024) 5987 final



Brussels, 2.9.2024
C(2024) 5987 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 2.9.2024

**amending Regulation (EC) No 451/2008 of the European Parliament and of the Council
as regards updating the classification of products by activity (CPA)**

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Reliable and comparable statistics are necessary for businesses to assess their competitiveness and for EU institutions to carry out their tasks under the Treaties, especially those related to the functioning of the internal market.

Regulation (EC) No 451/2008 of the European Parliament and of the Council established the statistical classification of products by activity (CPA). This Regulation also provided the framework for applying the CPA at national level. Statistics produced on the basis of the CPA are comparable at European and at international level. The CPA was subsequently updated through Commission Regulation (EU) No 1209/2014, which established an updated CPA version (CPA Ver. 2.1).

The international comparability of economic statistics requires that the Member States use classifications of products which are directly linked to the Central Product Classification (CPC) adopted by the United Nations Statistical Commission (UNSC). The CPC is the principal international classification of goods and services and serves as an instrument for assembling and tabulating all kinds of statistics broken down by product. Moreover, the CPA is structurally linked to its European reference classification, the statistical classification of economic activities in the European Union (NACE).

Since the entry into force of CPA Ver. 2.1, there have been a number of economic, scientific and technological developments that have given rise to new products. These changes have to be reflected in the CPA, which requires, as a consequence, the amendment of the Annex to Regulation (EC) 451/2008 establishing the CPA.

As provided for in Article 6(2) of Regulation (EC) No 451/2008, ‘the Commission is empowered to adopt delegated acts in accordance with Article 6a amending the Annex to take account of technological or economic developments or to align it with other economic and social classifications.’

The purpose of this delegated act is to capture and encompass both the technological and economic developments that have taken place in recent years and to align the CPA with its European reference classification (NACE) and the relevant international classification (CPC).

Through Commission Delegated Regulation (EU) 2023/137, NACE Revision 2 Update 1 (NACE Rev. 2.1) was established. The UNSC, at its 55th session of 27 February-1 March 2024, adopted the structure of CPC Version 3.0 (‘CPC Ver. 3.0’).

Some of the main drivers for the revision of the NACE and the CPA are globalisation and digitalisation, which have changed the way in which many economic activities provide goods and services. New goods and services have gained importance, while others have lost importance in the globalised economy. Rapid changes have also taken place in the information-technology environment. In addition, the increased awareness of the impact of the economy on the environment has created specialised goods and services designed to protect the environment. All these changes need to be reflected in the classifications.

To reflect the emergence of new economic activities made possible with recent economic, scientific and technological developments, as well as emerging goods and services resulting from existing activities, and to maintain the consistency of the CPA with the NACE as well as with the CPC, an up-to-date classification should be drawn up.

The structure of the updated classification is fully consistent with NACE Rev. 2.1 at the two highest levels (sections and divisions), and also (with a few exceptions) at the third and fourth

highest levels (groups and classes) as was the case for previous versions (thus maintaining the strong relationship between positions at the four highest levels of the NACE and the CPA classifications). The CPA must also be consistent with the CPC to ensure international comparability. The CPA provides a higher level of detail than the NACE, with two additional lower levels (categories and subcategories), and differs from the CPC in the sense that it has categories suitable for European users of the classification.

By adapting to new economic activities made possible with recent economic, scientific and technological developments, as well as to emerging goods and services resulting from existing activities, the CPA more closely reflects the current production of goods and services in the Union.

An up-to-date CPA is central to the Commission's ongoing efforts to modernise the production of European statistics. This up-to-date CPA is expected to contribute, through more comparable and relevant data, to better economic governance at both EU and national level.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In preparing this delegated act, the Commission has conducted appropriate consultations. The informal Commission expert group known as the 'Standards Working Group' was consulted on 7 and 8 December 2023.

Moreover, the Commission has consulted the expert group 'National Statistical Institutes of the European Statistical System'.

Finally, it has kept the European Parliament and the Council duly informed about the preparation of the delegated act.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

In accordance with Article 6(2) of Regulation (EC) No 451/2008, the objective of this delegated act is to take account of technological and economic developments, to ensure the international comparability of economic statistics by aligning with the CPC Ver. 3.0, while ensuring the internal consistency of European statistics by also aligning with NACE Rev. 2.1.

The delegated act amends the Annex to Regulation (EC) No 451/2008 by replacing it.

The delegated act concerns a matter relating to the European Economic Area (EEA) and its application should therefore extend to the EEA.

The delegated act has no implication for the EU budget.

COMMISSION DELEGATED REGULATION (EU) .../...

of 2.9.2024

**amending Regulation (EC) No 451/2008 of the European Parliament and of the Council
as regards updating the classification of products by activity (CPA)**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 451/2008 of the European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93¹, and in particular Article 6(2) thereof,

Whereas:

- (1) In order to function, the internal market requires statistical standards applicable to the collection, transmission and publication of national and European statistics which allow businesses, financial institutions, governments and all other operators in the internal market to have access to reliable and comparable statistical data. To that end, it is vital to have a uniform interpretation in all Member States of the various positions for classifying products in the Union.
- (2) Regulation (EC) No 451/2008 established a common statistical classification of products by activity ('CPA'), setting out the requirements of statistics at the time of its adoption. Those requirements no longer meet the needs of the technological environment, the structure of the economy, and the relevant international economic and social classifications.
- (3) Since the most recent version of the CPA started to apply on 1 January 2015, globalisation and digitalisation have changed the way in which many economic activities provide goods and services. New goods and services have gained in importance while others have lost importance in the globalised European Union economy. Rapid changes have also taken place in the information-technology environment. In addition, the increased awareness of the impact of the economy on the environment has created specialised activities to protect the environment, which in turn generate new products and services.
- (4) The internal consistency of European statistics requires that the CPA is structurally linked to its European reference classification, the statistical classification of economic activities in the European Union ('NACE').
- (5) The international comparability of economic statistics requires that the Member States and the Union institutions use classifications of products that are directly linked to the international Central Product Classification ('CPC').

¹ OJ L 145 4.6.2008, p. 65, ELI: <http://data.europa.eu/eli/reg/2008/451/oj>.

- (6) Following the adoption, by the Commission, of Commission Delegated Regulation (EU) 2023/137² establishing NACE Revision 2 Update 1 ('NACE Rev. 2.1'), as well as the adoption, by the Statistical Commission of the United Nations, of Version 3.0 of the CPC ('CPC Ver. 3.0'), the CPA should be adapted in order to maintain its international comparability and its consistency with the standards for classifying economic activity used at Union level.
- (7) In order to reflect the reality of current economic activities in the Union, the CPA should consider products resulting from new economic activities made possible with recent structural, scientific and technological developments, as well as from emerging goods and services resulting from existing activities.
- (8) In order to support the Commission's ongoing efforts to modernise the production of European statistics and for the CPA to contribute, through more comparable and relevant data, to better economic governance at both Union and national level, it is necessary to update the CPA.
- (9) As regards data referred to in Annex B to Regulation (EU) No 549/2013 of the European Parliament and of the Council³, compliance with the updated classification should not be required immediately, as a certain period of time is necessary to allow data providers to adapt to the new regulatory requirements.
- (10) Regulation (EC) No 451/2008 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex to Regulation (EC) No 451/2008 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall apply from 1 January 2025, as regards data transmissions to the Commission (Eurostat) relating to each reference period starting on or after that date. However, as regards data referred to in Annex B to Regulation (EU) No 549/2013 of the European Parliament and of the Council³, it shall apply from 1 September 2029.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

² Commission Delegated Regulation (EU) 2023/137 of 10 October 2022 amending Regulation (EC) No 1893/2006 of the European Parliament and of the Council establishing the statistical classification of economic activities NACE Revision 2 (OJ L 19, 20.1.2023, p. 5, ELI: http://data.europa.eu/eli/reg_del/2023/137/oj).

³ Regulation (EU) No 549/2013 of the European Parliament and of the Council of 21 May 2013 on the European system of national and regional accounts in the European Union (OJ L 174, 26.6.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/549/oj>).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2.9.2024

For the Commission
The President
Ursula VON DER LEYEN