

# FEM

# Newsletter

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## TABLE OF CONTENTS

<b>FEM NEWS</b>	<b>3</b>
WEBINAR ON EU DIGITAL REGULATIONS	3
KREDIT BECOMES MEMBER OF FEM IN 2024	3
FEM 2024 CALENDAR	4
AIVs TO BE STRUCTURED IN FEM	4
NEW FEM FOR CORPORATE PACKAGE	5
FEM CONTINUES ITS CAMPAIGN ON KEY TOPICS FOR OUR INDUSTRY	5
<b>TASK FORCES ACTIVITIES</b>	<b>7</b>
MACHINERY DIRECTIVE	7
NOISE	7
ROAD CIRCULATION	7
DIGITALISATION	8
BATTERIES	8
<b>EU LEGISLATIVE ISSUES</b>	<b>10</b>
RADIO EQUIPMENT DIRECTIVE	10
CHEMICALS POLICY - PFAS	11
COMPETITION – INVESTIGATION INTO CHINESE PLATFORM MANUFACTURERS	12
<b>PUBLICATIONS AND EVENTS</b>	<b>13</b>
ORGALIM’S AUTUMN ECONOMIC OUTLOOK	13
FEM POSITION PAPERS	14
VDMA EUROPEAN SUMMIT	14

## FEM News

### WEBINAR ON EU DIGITAL REGULATIONS



On Monday, 16 October, FEM hosted a Webinar on "EU digital regulations: preparing material handling manufacturers for the changes ahead".

The webinar included an introduction by Olivier Janin and presentations by Priscilla Nangeroni (FEM Adviser on digital) and the guest speaker Patrik Fritz (digital policy adviser at Orgalim) on the ongoing EU digital files (EU Data Act, EU Artificial Intelligence Act and EU Cyber Resilience Act). More specifically, they outlined the most important implications such pieces of legislation will have on FEM manufacturers, to help them anticipate and prepare for the changes ahead.

Participants interested in participating in the FEM advocacy work on EU digital policy were encouraged to contact the FEM Secretariat and to get involved with the FEM Digitalisation Task Force.

This initiative underscores FEM's commitment to staying ahead in the dynamic landscape of digital regulations and ensuring its members are well-prepared for the future.

### KREDIT BECOMES MEMBER OF FEM IN 2024



On 21st November, the FEM general assembly approved KREDIT's membership application. KREDIT is a Czech company manufacturing racking and shelving equipment. In the absence of a national member association in Czechia, KREDIT is taking the status of ordinary member for that country. KREDIT will be involved in the Racking & Shelving Product Group.

More info: <https://www.mobileracks.eu/>

## FEM 2024 CALENDAR

Make sure you already mark your calendar!

### 23-24 April in Brussels

Draft programme:

23 April (evening) : FEM Dinner (location tbc)

24 April (all day) : FEM meetings at BluePoint, including:

- \*FEM Board

- \*FEM PG Secretaries - exchange session

- \*FEM Executive Committee

- \*FEM General Assembly

### 26-27 September in Istanbul

FEM Congress, organised by ISDER.

*Note: there might be additional Product Groups' meetings on Wednesday 25 September*

## AIVs TO BE STRUCTURED IN FEM

Autonomous Intralogistics Vehicles (AIVs) are becoming an increasingly strong part of the materials handling industry, attracting interest, attention and investments. In addition to incumbent OEMs, many start-ups, as well as other businesses are engaging in AIVs development.

Given this context, FEM will give AIVs a special focus and provide them with a dedicated structure. Product Groups Industrial Trucks and Intralogistic Systems are working together with the FEM secretariat to establish a framework. Technical cooperation and statistics have been identified as two major work streams.

The first technical activities will start in the first months of 2024. Meanwhile, preparatory work is ongoing to establish a European statistical system for AIVs. Further information will be circulated after the New Year and interested companies will be invited to come forward.

For more information, please contact Olivier Janin, [secgen@fem-eur.com](mailto:secgen@fem-eur.com)

## NEW FEM FOR CORPORATE PACKAGE

Grow your network, influence, and visibility with

# FEM for Corporates

We offer:

- 1 A unique network for manufacturers to connect & collaborate
- 2 Valuable policy and advocacy insights & influence on the EU agenda
- 3 Engagement with EU officials and networking opportunities
- 4 Exposure and visibility on FEM's channels

Want to join this exclusive network? Get in touch!

Through collaboration and proactive engagement with the EU policymaking process, you can strengthen your position for the future.



For more info, contact Olivier Janin [secgen@fem-eur.com](mailto:secgen@fem-eur.com)

## FEM CONTINUES ITS CAMPAIGN ON KEY TOPICS FOR OUR INDUSTRY

This summer, taking stock of ongoing societal transformation and technological innovation, FEM started a new communication campaign, taking a deep dive into **key topics** for the materials handling industry, highlighting initiatives that are underway in our industry as we adapt and continue to thrive.

For this third edition, FEM takes a look at a highly relevant topic: how to attract and retain talent within the industry.

Read the full article [HERE](#).


# Nurturing diverse talent to retain and attract candidates for a changing world



## Christophe Lautray


President of FEM and Executive Vice President Sales & Service KION Industrial Trucks and Services

### Introduction

 In the ever-evolving landscape of material handling, resilience, adaptability, and skilled talents are the cornerstones of sustainable success. The challenges faced by HR communities across different countries in attracting talent continue to grow. It's no secret that in this competitive job market, finding the right candidates for any position is becoming increasingly difficult. However, amidst this challenge, there lies a tremendous opportunity – the power of diversity and inclusion.

As the President of FEM and Executive Vice President Sales & Service KION Industrial Trucks and Services, I passionately believe that sustainability as a whole, with diversity, inclusion and equity as integral components, is now considered a "must-have" by potential candidates. It's not just about the right thing to do; it's a strategic imperative.

### Talents: the backbone of resilience

 In our fiercely competitive industry, the ability to attract, develop, and retain highly skilled individuals from across the globe is a driving force behind business success and sustainable growth.

Talents are the lifeblood of our organisations, the architects of innovation, and the key to overcoming the challenges presented by a constantly changing environment.

At Linde Material Handling, Fenwick-Linde, STILL, Baoli EMEA and Dematic, we firmly believe that a motivated and diverse workforce is essential for fostering innovation, creative problem-solving, and ensuring our sustainability. To achieve this, we employ several strategies, all with the aim of not only retaining our current staff but also attracting new and diverse candidates to join our sector:

#### ① Employee engagement and retention

Our journey begins with active listening. Every year, we conduct a global employee survey, providing invaluable insights into engagement and satisfaction levels. Through intense team workshops and follow-up actions, we work diligently to improve year after year compared to internal and external benchmark, making us an attractive destination for potential candidates.

## Task Forces Activities

### MACHINERY DIRECTIVE

FEM participated in the last Machinery Expert Group meeting held in Brussels on 9 November. A few important announcements were made by the Commission, among which we particularly note the expected publication of the Standardisation Request for the Machinery Regulation (MR) in the first half of 2024, and also the long-awaited confirmation of the timeline for the future interpretation guidelines. The Commission informed the machinery experts that they will carry out a mapping exercise to identify which parts of the current Machinery Directive guide are still relevant, which sections need to be revised in view of the new requirements and which parts must be deleted. The work on the guide is intended to start as of the summer 2024. In the meantime, the Commission will also prepare a targeted revision of the current guide only in the section related to digital instructions: this is in order to delete the reference to the paper format and refer to the requirements in the MR as far as digital instructions are concerned, in order to allow the use of digital instructions before the MR application date (20 January 2027).

### NOISE

In November, the FEM TF Noise closely followed developments on the revised Annex III of the Outdoor Noise Directive, which [final adopted text](#) was made public on 16 November. FEM representatives also attended the European Commission's Noise Expert Group meeting that took place on 13 December. A detailed report was sent to the Noise TF with an overview of the content discussed.

Simultaneously, the TF Noise expressed a positive reaction to the European Commission's proposed [Directive on the rationalisation of reporting obligations](#). This proposal includes the removal of reporting obligations for manufacturers within the framework of the Outdoor Noise Directive, with a notable proposition to delete Article 16. FEM plans to participate in the public consultation by providing the positive reaction before the deadline on December 19.

### ROAD CIRCULATION

The TF Road Circulation has continued to monitor institutional developments concerning the [proposal for a Regulation on the road circulation of non-road mobile machinery](#), which include the recently published draft report from the rapporteur in the European Parliament and the Council's General Approach. In November, FEM had finalised a reaction to the IMCO (Committee responsible in the European Parliament) amendments, prior to the IMCO vote that took place at the end of November, which lead to several of our recommendations being included in the rapporteur's draft report.

Simultaneously, FEM has been participating in the formulation of technical requirements, which are set to be defined in a Delegated Act. These requirements are currently being handled by independent contractors hired by the European Commission. In October, FEM provided its input on the initial draft of these technical requirements prepared by the contractors. We continue to be in close contact with the contractors and we are currently awaiting their next draft.

The FEM Secretariat remains committed to closely monitoring developments in this matter and is in the process of coordinating with its members to determine the next steps in our advocacy efforts, both in the context of trilogue negotiations and the continuation of the development of technical requirements.

## DIGITALISATION

### **Cyber Resilience Act & Artificial Intelligence Act**

The Secretariat is closely following developments on the Cyber Resilience Act (CRA) and on the Artificial Intelligence Act and analysing the respective provisional political agreements reached in the European institutions.

Before the provisional political agreement on the Cyber Resilience Act was reached, FEM joined forces with Orgalim and other industry associations and co-signed a joint statement asking policymakers to not rush the negotiations at the expense of a non-comprehensive legislative text.

While we await the provisional agreed texts, FEM is coordinating with Orgalim and other industry associations and exploring the possibility to work on joint implementation guidelines on the upcoming digital files. More details will be shared with the Task Force members as soon as possible.

## BATTERIES

### **Batteries and Waste Batteries Regulation**

The Regulation on Batteries and Waste Batteries was [published](#) in the Official Journal of the EU on 12th July 2023. It will be applicable as from 18 February 2024.

The Regulation applies to a wide scope of battery types, including rechargeable industrial batteries, with and without external storage, with a capacity greater than 2 kWh. Amongst others, it sets out binding requirements on items concerning recycling targets, carbon footprint declaration rules and performance classes, labelling and marketing, restrictions of substances, and specific reporting and due diligence rules, such as the so-called “battery passport”.

FEM is actively following and engaging in the policy developments concerning the implementation of the Regulation. On 22 November, the Task Force Battery met, and members were updated on the



implementation timeline and more particularly the next consultations on secondary legislation, as well as the ongoing discussions among EU policy makers (e.g. Expert Group meetings).

Relevant to materials handling equipment manufacturers, the European Commission is currently conducting preparatory work on a Delegated act on the calculation and verification methodology of the industrial battery carbon footprint and Implementing Act establishing the format for the carbon footprint declaration, as provided under Article 12. FEM has been selected to participate in the first JRC's stakeholders' workshop in support of the Delegated Act on carbon footprint rules for rechargeable industrial batteries on 12 December. Hosts updated participants on the timeline of the next steps in view of the publication of the Delegated Act. They informed that the public consultation is foreseen for Q1 2024, while the adoption of the Delegated Act for industrial batteries with internal storage is expected in February 2025. Mandatory declaration rules on carbon footprint are finally expected to come into force in early 2026.

The workshop included exchanges of views on the technical aspects of battery chemistry, determination of functional units, battery service life, system boundaries, and end of life modelling. All these topics are covered in the first draft technical report on industrial batteries (except those with exclusively external storage) by the JRC, widely based on the previous report on electric vehicles batteries. JRC invited stakeholders to share their feedback on the draft report by 12<sup>th</sup> January. FEM members have until 22<sup>nd</sup> December to submit their comments to [environment@fem-eur.com](mailto:environment@fem-eur.com).

### **European List of Waste**

FEM members have been informed of a new topic that is the Commission's Decision "[European List of Waste](#)", established under the Waste Framework Directive, and meant to harmonise waste classification across the EU. It provides a framework on the definition and classification of different waste types for administrative and statistics purposes (transport, collection, permitting...). The list of waste is binding only as regards determination of the waste which is to be considered as hazardous and in the event Member States decide to adopt binding measures in compliance with the Directive, manufacturers are subject to extended producer responsibility. The Decision is subject to regular reviews to align it with the legislation developments on circular economy. This is the case of the upcoming [public consultation](#) on the proposal for a Delegated Decision amending the List of Waste by adding new classification and monitoring requirements for the management and recycling of waste batteries, which adoption by the European Commission is planned for Q3 2024.

The Battery Task Force has decided to not to engage actively in this topic, leaving it for monitoring only as long as the impact on the sector's business has not been clarified.

For more information, contact [Silvia Alessi](#).

## EU Legislative Issues

### RADIO EQUIPMENT DIRECTIVE

On 27 October, the European Commission [published](#) in the EU Official Journal the Delegated Regulation (EU) 2023/2444 amending Delegated Regulation (EU) 2022/30 on cybersecurity aspects, as regards the date of application of the essential requirements for radio equipment. The amending DA increases the application date to 12 additional months, meaning that it will apply as from 1 August 2025 (instead of 2024). There is also a minor correction of the introductory wording in Article 1(2).

The Commission also issued a new [Proposal](#) for a Directive amending different directives, with regard to reporting requirements, including in the field of radio equipment. This initiative seeks to rationalise and simplify reporting requirements, with the aim of reducing such requirements by 25%.

In the case of RED, it is proposed to amend article 47 (1), which concerns Member States' reporting obligations. According to this article, Member States must submit to the Commission a report of the application of the RED, every two years. This also includes a presentation of the market surveillance activities performed by the Member States and whether the requirements of that Directive have been fulfilled. The current frequency of this obligation does not correspond to the reporting obligation from the Commission to the European Parliament and to the Council which takes place every five years. Therefore, the proposal is to reduce the frequency of the reporting obligation of Member States to every five years.

Additionally, the Commission embarked on the revision of the RED Guide, under the coordination of the AdCo (Administrative Cooperation Group) on RED. The first meeting of the dedicated group on the RED guide revision took place on 7 November. Meanwhile, the AdCo RED made available a common template to collect feedback from the experts in the group on the issues that should be addressed in the update of the RED Guide. The next AdCo RED meeting dedicated to the guide will take place on 8 February 2024.

## CHEMICALS POLICY - PFAS

As a reminder, a [proposal](#) to restrict the use, manufacturing, and placing on the market of the per- and polyfluoroalkyl substances (PFAS) was prepared by the authorities of Denmark, Germany, The Netherlands, Norway, and Sweden and published by the European Chemicals Agency (ECHA) in February 2023. The restriction proposal concerns circa 10.000 PFAS substances identified on the basis of the definition provided by the Organization for Economic Cooperation in Europe (OECD). There is no reference to a list of substances or their respective CAS numbers.

The proposal envisages two options on how to restrict the use and placing on the market of PFAS:

- Full ban with no derogations and a transition period of 18 months after the Regulation enters into force,
- Ban with use-specific and time-limited derogations that would carry an 18-month transition period and a 5- or 12-year derogation period, depending on the application.

However, the specific conditions under which derogations will take place still need to be specified.

In March, ECHA launched a six-month stakeholder consultation which sought feedback on the usage of PFAS, the viability of any feasible alternatives, and the implications of restricting their usage. FEM has replied to the public consultation on a restriction proposal on PFAS. The reply is based on the [FEM position](#), which was finalised on 22<sup>nd</sup> September.

The latest episode of ECHA's podcast "Safer Chemicals Podcast" featured an interview to SEAC and RAC Chairs, who reported on the outcome of the two Committee's plenary meeting held on 7 November. The Rapporteurs informed that they are conducting a first screening and classification of the comments received. ECHA is currently discussing a joint plan on how to best evaluate the proposal with the five national authorities. They confirmed that the opinions will address comments by means of a sector-by-sector analysis in one single document per Committee. Another key takeaway is that F-gases applications are one of the sectors which received more feedback from stakeholders. Additionally, over half the comment provided information on the technical functions of PFAS in applications, on alternatives and on derogations. As the two Committees are due to take into account comments, it can be expected that this aspect will be covered in the draft opinions.

Also in November, ECHA's Enforcement Forum published its advice on the enforceability of the proposed restriction as part of the REACH restriction process. The general conclusion is that as it stands, the proposal will be challenging to enforce and that it needs improvement in several aspects including definitions, derogations, limit values, reporting requirements, sampling and analytical methods, and overlapping with existing legislation (e.g. REACH and F-gas Regulation).

At this stage, the next step is the publication of the scientific opinions of ECHA's Socio-Economic Committee (SEAC) and Risk Assessment Committee (RAC). A public consultation of two months will be opened once the draft opinions are published. Since the consultation received more than 5600 responses, ECHA confirmed that there will be delays.

Next steps:

- December 2023: ECHA's scientific committees' meetings to consider the consultation feedback
- March 2024: ECHA's Plenary meeting discussing consumers mix, ski wax and cosmetics
- Q2 – Q3 2024 (TBC): Publication of the Socio-Economic Analysis Committee (SEAC)'s draft scientific opinion based on a sector-by-sector approach. A two-month consultation period will follow.
- Q1-Q2 2024: Publication of RAC's scientific opinion
- Q3 2024 (TBC): Publication of the proposal by the European Commission
- 2025 (TBC): Decision-making process and potential adoption of the proposal by Commission and the Member States
- 18 months after adoption: entry into force of the proposed restrictions.

FEM will continue monitoring and engaging actively on this topic. To this end, an *ad hoc* PFAS Working Group has been established under the Technical and Regulatory Committee.

For more information, contact [Silvia Alessi](#).

## COMPETITION – INVESTIGATION INTO CHINESE PLATFORM MANUFACTURERS

The European Commission has opened an [anti-dumping investigation](#) on imports of mobile access equipment (MAE) originating from China. The investigation, triggered by a complaint from a coalition, concerns mobile access equipment designed for the lifting of persons, self-propelled, with a maximum working height of 6 meters or more.

The complainant claimed that it is not appropriate to use domestic prices and costs in China, due to the existence of significant distortions, and pointed to the State funding benefiting the Chinese MAE industries and the fact that there is a substantial degree of State ownership in the Chinese MAE sector. It is also alleged that there may be raw material distortions, notably on hot-rolled steel.

The investigation, which will cover the period from 1 October 2022 to 30 September 2023, will determine whether the product under investigation originating in the country concerned is being dumped and whether the dumped imports have caused injury to the Union industry. If that is the conclusion reached, anti-dumping duties may be applied.

The investigation will last 13 to 14 months. Provisional measures may be imposed within 7 to 8 months.

## Publications and Events

### ORGALIM'S AUTUMN ECONOMIC OUTLOOK

Orgalim's Autumn 2023 Economic Outlook report is just out! Among the key findings:

This report confirms the slowdown across most of our sectors that we signalled in the spring, and the structural competitiveness challenges our industries are facing.

Our forecast is for a 1.2% contraction this year overall in real terms, with no imminent prospect of a recovery in 2024. This is below most forecasts for the EU economy as a whole.

The willingness to invest remains very restrained in the face of rising interest rates, pessimism over competitiveness and geopolitical uncertainty.

Orgalim thanks the Economics & Statistics Working Group and its outgoing Chair, Martin Baminger, for their excellent and important work compiling this report. **Click on the image below for the full report.**



## FEM POSITION PAPERS

Find out more about our Joint Statements and Positions Papers of this past quarter in the [News section](#) of our website and on our publications page:

Position papers	
<a href="#">11/2023</a>	Joint Statement on Cyber Resilience Act
<a href="#">09/2023</a>	Position Paper proposed PFAS restriction
<a href="#">07/2023</a>	Position paper on non-road mobile machinery circulating on public roads
<a href="#">07/2023</a>	Joint statement on the use of digital declarations of conformity (DoCs)
<a href="#">07/2023</a>	Joint Statement by NRMM Industry on the Cyber Resilience Act

## VDMA EUROPEAN SUMMIT

This premier event is designed to bring together industry leaders from across Europe to collaborate, share knowledge, and shape the future of the engineering industry. **Click on the image below for more information.**



**THIS NEWSLETTER IS RESERVED**  

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**TO FEM MEMBERS**  

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**FOR ANY ENQUIRY, PLEASE CONTACT:**

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