

FEM

Newsletter

ISSUE 02/2022

**Quarterly publication of the European
Materials Handling Federation**



TABLE OF CONTENTS

FEM NEWS	3
FEM CONGRESS 21-23 SEPTEMBER IN FRANCIACORTA, ITALY	3
TASK FORCES ACTIVITIES	5
MACHINERY DIRECTIVE	5
OUTDOOR NOISE	6
ROAD CIRCULATION	7
DIGITALISATION	7
BATTERIES	9
EU LEGISLATIVE ISSUES	9
GENERAL ISSUES	9
MARKET SURVEILLANCE/NEW LEGISLATIVE FRAMEWORK	9
STANDARDISATION POLICY	10
PUBLICATIONS AND EVENTS	11
FEM INITIAL REACTION ON EC PROPOSED DATA ACT	11
BIG CHALLENGES AND BIG OPPORTUNITIES FOR MANUFACTURERS OF MATERIALS HANDLING EQUIPMENT IN EUROPE	12
FEM CONGRESS PROGRAMME	13

FEM News

FEM CONGRESS 21-23 SEPTEMBER IN FRANCIACORTA, ITALY

We are delighted to announce that the FEM Congress, organised and hosted by FEM member, AISEM, will take place on 21-23 September in Franciacorta, Italy.

This congress, held every two years, is the most important international event of the European Materials Handling Federation and industry. It presents a special opportunity for producers in 14 European and international countries to gather to explore and discuss key issues for the materials handling industry, such as European and worldwide market trends, current and future technical regulation, compliance issues, European and international standards, and much more.



Equally important is the opportunity to meet and engage in dialogue in an international context, with the chance to create and strengthen relationships and partnership between participants.

Location

The congress will take place in the area of Franciacorta at the Hotel Touring in Coccaglio, Brescia, during which there will be a gala dinner at the renowned local winery Contadi Castaldi. You can book a room at Hotel Touring [here](#).

Sponsorship Opportunities

To take advantage of this unique opportunity, we are pleased to offer three sponsorship packages (more information on the FEM Congress website).

Contact

If you have any questions about the congress please do not hesitate to contact aisem@anima.it, and for questions about accommodation please contact info@femcongress2022.com.

Deadline

Hotel rooms are available until [27 July 2022](#)

Visit the FEM Congress website

 <https://www.femcongress2022.com/>

Task Forces Activities

MACHINERY DIRECTIVE

On 22 April 2021, the Commission transmitted its proposal for a Regulation on Machinery and related products. The past few weeks have seen many developments in both the Parliament and the Council and have been closely followed by FEM. We are coming to the end phase of the First Reading of the draft proposal of the European Commission.

On the Parliament side, Mr Ivan Stefanec (EPP, SK) was given a mandate in May to negotiate the Parliament's position in trialogue.

On the Council side, the Technical Harmonisation Working Group has reviewed several parts, especially Annex I on the mandatory involvement of third-party certification or the transitional period between the dates of application of the current Directive and the future Regulation. On 24 June, the French Presidency of the Council has led the Coreper, the Committee of high Representatives, to also agree to enter the trialogue negotiations, after some resistance from a few countries. Although limited, there is still room to voice FEM preferences, especially on provisions where there is disagreement between the two institutions.

Further to several months of work by FEM, in cooperation with Orgalim and other trade associations, the texts have shown some significant improvements compare to the first version with some positive improvements in line with the proposals made by FEM. It can be seen in particular that the reference to the AI system has been removed or that there has been an extension of the transitional period from the Machine Directive to the Machine Regulation. However, many other hiccups remain.

Therefore, the FEM Machinery TF met one more time since the last newsletter to evaluate the latest amendments and to discuss industry priorities. This work was done with the help of a table to carefully compare the proposed amendments of the Parliament and the Council article by article. Several priorities were identified, mostly in relation to the Annex I (mandatory third-party certification, esp. for lifting equipment), the definition of safety function, the transition period, and provisions regarding supervisory functions for autonomous robots.

Accordingly, the Chair of the FEM MR TF, Mr Andreas Kuehn, Mrs Marie Poidevin (Evolis) and the FEM Secretary General, Mr Olivier Janin, had a meeting in mid-June with Marek Degro, the political advisor and assistant to the Rapporteur Ivan Stefanec, and Fausto Matos, a policy advisor in the EPP Group. The purpose was to inform them of our priorities and preferences on the file. As the general points where we are aligned have already been mentioned by partner associations (Orgalim and EGMF), this meeting focused mainly on the priorities of FEM. We therefore essentially targeted points such as the

definition of driver for 'Autonomous mobile machinery', the criteria for inclusion of productions, the risk of contact with live overhead power lines or the problem of addresses for permanently installed lifting products.

FEM is now preparing more detailed written input that will feed in the triologue negotiations which will start under the Czech Presidency with a kick-off meeting in July before the negotiations after the summer break.

Events:

An Online webinar '*Informative Annex ZA/ZZ for Machinery Directive*' organised by CEN-CENELEC will take place on Thursday 6 October - 14:00 CET. More info [HERE](#)

OUTDOOR NOISE

The revision of the Outdoor Noise Directive continued in the second quarter of the year.

Two additional Expert Group meetings took place, during which consultations on the revision of the Annex III of the OND continued. FEM representatives took part in both of them.

During the first additional Expert Group meeting, only small observations were raised by FEM, as the text proposed by the Commission was generally positive.

During the final Expert Group meeting, the final draft of the revised Annex III was discussed. FEM is currently discussing whether there is the need to provide written feedback on it, which should be done by 14 July.

The Commission will organise a public consultation in the autumn 2022, and another Expert Group meeting on 13 October. After that, the text will pass to the Parliament and Council for scrutiny in Q4 2022/Q1 2023. The publication of the Delegated Act is planned for Q1 2023. Application will probably follow in 2023, although the transitional period is still to be discussed.

ROAD CIRCULATION

A new FEM Task Force on Road Circulation was created, given that the European Commission resumed its work on the upcoming [Regulation on road circulation for non-road mobile machinery](#). The legislation proposal was expected for June 2022; however, it was postponed to autumn (October/November) 2022.

The newly created Task Force met for the first time, online, in June. Mr. Olivier François (Manitou Group) was nominated Chair of the group. During the first Task Force meeting, the FEM Secretariat and the Chair debriefed the members on the European Commission workshop on Road Circulation, which took place on 8 June.

There, the European Commission confirmed that the Regulation will follow a simplified type-approval legislation, taking inspiration from the Tractor Mother Regulation. Specific requirements will be dealt with in a Delegated Act, and the Commission made explicit that the technical documents provided by the ITF will be put into use then.

In response to the Commission's request, FEM submitted complementary input in writing on several issues: end-of-series, small series and the introduction of exemptions for new concepts and innovations in the new legislation. FEM also repeated its position on towed equipment.

The mentioned workshop was the last occasion stakeholders had to provide feedback to the Commission. The Task Force work will resume when more information on the legislative proposal will be made public.

DIGITALISATION

Data Act

In the second quarter of 2022, the FEM Task Force Digitisation analysed the European Commission [proposal for a Data Act](#) and issued a document containing its first reaction to it. The text was sent to the European Commission as a response to the [public request for feedback](#), and was also circulated to the Rapporteur and Shadow Rapporteurs in the ITRE Committee in the Parliament (Committee Responsible).

After its finalisation, the Task Force met and collected further input on the legislative proposal, to draft a more detailed position paper, which will be ready early July.

The final position paper will be circulated to the Rapporteur and Shadow Rapporteurs and will be used as a basis for upcoming meetings with decision-makers. FEM has already secured with the office assistant of the Shadow Rapporteur Mr. Alin Mituța (Renew Europe, Romania), which will be attended by the TF Secretary and the TF Chair on 11 July.

The FEM Task Force Digitisation has continued to closely follow the legislative process in the Council and European Parliament and is now awaiting the publication of the ITRE Committee draft report, which is expected after the summer.

Artificial Intelligence

In the second quarter of 2022, whilst prioritising resources towards the Data Act, the FEM Task Force Digitisation continued to follow the legislative developments related to the Commission proposal for an [Artificial Intelligence Act](#).

The Task Force has notably analysed the [draft report](#) of the Responsible Committees in the European Parliament (IMCO-LIBE) published at the end of April. No particular issue was raised.

On 30 June, the IMCO-LIBE Committees considered their amendments.

Regarding the proposed timeline that the Parliament is planning to follow, these are the next steps:

- Consideration of compromise amendments will occur in the end of September
- In the end of October, the voting on the IMCO-LIBE report will take place
- The plenary vote on the report is currently scheduled for 9 November.

Several members of the Parliament have raised their concerns on the ability of the Parliament to follow the mentioned timeline. The mentioned dates will possibly be postponed.

The Task Force will continue to follow the upcoming developments on the file, and, in the next months, will collaborate with Orgalim on the analysis of the amendments of the IMCO-LIBE Committees, published in early June.

BATTERIES

In the last months, the revision process of the Battery Directive – to become a Regulation – kept FEM and its TF Battery busy. As a reminder, at the end of 2020, the European Commission published its [proposal for a new Regulation on batteries and waste batteries](#), which will be replacing and repealing the current Batteries Directive (2006/66/EC). Through this new Regulation, the European Commission aims that all batteries placed on the EU market become sustainable, high-performing and safe all along their entire life cycle. According to the proposal, the materials handling industry will be highly impacted since many new information and sustainability requirements will apply to industrial batteries – the relevant category for materials handling equipment.

The FEM Task Force Battery has continued to closely follow the legislative process. The Task Force also analysed the positions adopted in March by the [European Parliament](#) and the [Council](#).

In addition, FEM submitted comments to influence discussions during the ongoing trilogue negotiations between MEPs, the Council, and the Commission. The Task Force Battery also liaised with the new Czech Presidency of the Council of the European Union and shared FEM key messages.

The delay in the decision process will also postpone the finalisation of the future regulation, which is now expected for Q1 2023.

EU Legislative Issues

General Issues

MARKET SURVEILLANCE/NEW LEGISLATIVE FRAMEWORK

On 29th June, the Commission published the third revision of the '[Blue Guide on the implementation of the product rules 2022](#)' whose initial version was released in 2000 and subsequently updated in 2014 and 2016.

The Blue Guide has the ambition of explaining the different elements of the NLF, including the European conformity assessment system, the accreditation of laboratories and conformity assessment bodies, the CE marking, and market surveillance.

This new version of the Guide includes new chapters, for example on the obligations of economic operators or accreditation, or completely revised chapters such as those on standardisation or market surveillance. Notably, several circular economy aspects are integrated in the Blue Guide, such as 'used

and second-hand products’, an explicit coverage of the ‘substantial modification’ concept, ‘combined products’ and ‘software updates’.

The guide is available in all EU official languages, including in Irish for the first time.

The Secretariat will provide a more detailed analysis of the changes, whether these have taken the input of FEM into consideration, and their implications for the application of EU product legislation by manufacturers.

STANDARDISATION POLICY

In the latest news concerning the evolutions of the standardisation policy and following the new EU Standardisation Strategy published on 2 February, the main event was the EC-Industry ‘SMART’ meeting that took place on 7 June. On this occasion, Sophie Mueller (Head of Unit, Standards, DG GROW) answered some of the concerns raised by the industries.

She addressed in particular the question of the composition of the High-Level Forum on European standardisation and its future competences, improvements to the process and financing of the development and adoption of harmonised standards, the evaluation of Regulation (EU) 1025/2012 which is due to start by the end of the year 2022, and the preparation of a methodology for the Commission to develop EU technical or common specifications.

Publications and Events

FEM INITIAL REACTION ON EC PROPOSED DATA ACT



On 14 May, FEM issued an initial reaction to the proposal for a Data Act that was presented by the European Commission last February. The text was sent to the European Commission as a response to the public request for feedback.

FEM welcomes the European Commission's proposal to foster the EU data economy. Most materials handling equipment in

operation is now smart, and consequently generates a substantial quantity of industrial data.

While supporting the objectives of the proposed Data Act, FEM believes that some of its provisions would disproportionately limit the potential for our companies to use data to drive their innovation and competitiveness. Therefore, FEM suggests a number of modifications for a more efficient legal framework, notably:

- Differentiating between B2B and B2C data transactions
- Freedom of contract to be recognised as the optimal basis for an efficient flow of data
- A horizontal and better fine-tuned definition of data
- Excluding leased or rented products from the scope
- Including rights for manufacturers to get access to data generated by the use of their machines
- Strengthened safeguards and extended to non-patented know-how
- Clearer provisions on exchange of data from and to Europe, and from and to non-European countries
- Aligning with already existing EU legislation, or EU legislation which is currently being revised, addressing data
- Extending the transitional period to two years

FEM is currently working on a more detailed position, which will be finalised by the end of June.

See FEM's initial reaction. [HERE](#)

BIG CHALLENGES AND BIG OPPORTUNITIES FOR MANUFACTURERS OF MATERIALS HANDLING EQUIPMENT IN EUROPE

FEM Secretary General, Olivier Janin, spoke with [Forklift Action](#) about new trends, challenges and opportunities for manufacturers of materials handling equipment, in a market that is seeing rapid growth.



This growth is being driven by industrialisation, increased demand for automation and the surge of e-commerce, accelerated by the COVID-19 pandemic. However, although COVID-19 helped to increase demand for equipment, the pandemic also brought challenges. Manufacturers were under pressure to increase production in an environment with disrupted supply chains, transport problems and workforce challenges.

In a period of conflicting demands and uncertainty, making decisions within a company is no easy task. Despite this, manufacturers have responded to challenges by adapting operations. As stated by Olivier, "changing some business practices, European companies are leveraging their strengths, in particular their track record in the production of safe, environmentally friendly and reliable products, and their innovation capabilities."

In leveraging the challenges to become opportunities, there are three key theme to note in the changing landscape!

Read the article [here](#) to find out more.

FEM CONGRESS PROGRAMME

Delegate Programme

21 September 2022 Wednesday

13.00 - 17.00	CLE - THC	
13.00 - 17.00	CLE - EOT	
13.00 - 17.00	CLE - MC	
13.30 - 17.30	R&S - Board Meeting	<i>by invitation only</i>

22 September 2022 Thursday

08.20 - 09.45	CLE Board Meeting	<i>by invitation only</i>
10.15 - 12.00	CLE Plenary Meeting	
09.00 - 12.00	IS Board Meeting	<i>by invitation only</i>
09.00 - 12.00	R&S - AGM	
12.15 - 13.00	Light buffet lunch Restaurant - Sala Marenzio	
13.00 - 16.00	R&S - AGM	
13.00 - 16.00	CLE Technical Seminar	
13.00 - 16.00	IS General Assembly	
13.00 - 14.30	IT Management Committee	<i>by invitation only</i>
13.00 - 14.30	MEWPS Plenary Meeting	
14.30 - 17.00	MEWP Technical Meeting	
15.00 - 17.00	IT Plenary Meeting	
16.30 - 17.30	FEM Board Meeting	<i>by invitation only</i>
19.00 - 23.00	Gala Dinner	
19.00	Meeting in the Lobby and departure by bus to the famous winery CONTAD[CASTALDI] (via Colzano, 32 - 25030 Adro BS)	
19.30	Arrival at the Winery. Welcome and english guided visit of the wine cellar	
20.00	Welcome drink	
21.00	Gala dinner	
22.30	Return transfer to the Hotel	

Delegate Programme

23 September 2022 Friday

08.30 - 10.30	FEM General Assembly
10.30 - 11.00	Coffee break
11.00 - 12.00	FEM Policy Review
12.30 - 13.30	Farewell light buffet lunch Restaurant - Sala Marenzio
	Individual departure



0185 0000
Meeting in the Lobby
25/09/2022

CLE = Cranes and Lifting Equipment Product Group
IS = Intralogistic Systems Product Group
IT = Industrial Trucks Product Group
MEWPS = Mobile Elevating Work Platforms Product Group
R&S = Racking and Shelving Product Group

THIS NEWSLETTER IS RESERVED

TO FEM MEMBERS

FOR ANY ENQUIRY, PLEASE CONTACT:

FEM Aisbl

Olivier Janin, Secretary General

BluePoint Brussels

Bd. A. Reyers 80

B-1030 Brussels (Belgium)

Tel: +32 2 206 68 66

Email: info@fem-eur.com

www.fem-eur.com

