

Report from the Meeting with Malcolm Harbour
12th July 2013

The UKWF met with Malcolm Harbour, an MEP for the West Midlands and the Chairman of the IMCO Committee (Internal Market and Consumer Protection Committee) of the European Commission. This is an important EU committee that deals with the all aspects of legislation that relates to the single market and has specific responsibilities for the NAWI Directive and the Measuring Instruments Directive.

The meeting took place at the premises of Avery Weigh-Tronix and was attended by two board members, John Swinburne (UKWF President) and Jim Harper (UKWF Vice President) and by Mike Scott as the Managing Director of Avery Weigh-Tronix.

The 1st part of the meeting was an introductory presentation regarding the challenges faced by the weighing industry.

This drew attention to the cost of regulatory compliance for all weighing businesses operating in the EU and the challenge of competing with organisations that are placing products on the market that do not meet the relevant requirements. Malcolm was surprised to note that there is an average price difference of approximately 35% for an instrument that fully meets the legal requirements and one that does not. He was also interested to note the effect that the subsequent loss of income to UK (and EU) businesses and consequent effect on the taxation income to government. The detrimental effect on local employment was also considered.

The conversation covered the following specific points:

1. Market surveillance

The UK Weighing Federation expressed its concern at the lack of market surveillance and the desire and importance of more meaningful surveillance. There was general agreement at the importance of this and the difficulty of arguing for the appropriate resources to be given to market surveillance of weighing instruments.

There was an agreement of the specific difficulties relating to the market surveillance of weighing instruments because of the challenge in distinguishing compliant against non-compliant equipment. Malcolm was interested in the point that one of the most expensive elements of a modern weighing instrument is the electronic/computing module and the associated software. The difficulty of distinguishing between compliant and non-compliant software and electronics is a difficult process and not easily achieved by market surveillance authorities. This meant that weighing instruments were often overlooked when customs or border authorities were carrying out these checks.

2. The new proposed market surveillance regulations

The first drafts of these were recently published and we were able to put our views to Malcolm. It was noted that the focus of the regulations was relating to consumer protection and it would always be difficult to justify why the resources of market surveillance authorities should be spent in other areas. Specifically it was felt that the regulations should ensure that the definition of "public interest" should be sufficient to cover those devices that indirectly ensured consumer protection.

3. The EU/ US Trade negotiations

The significance of these trade negotiations was discussed and it was felt that progress on this matter would bring benefits to both the UK and the European weighing and measuring sector. There was general agreement that if existing OIML frameworks such as the MAA could be made to operate in the USA there could be a measurable benefit to the weighing industry. The UKWF will be in touch with the relevant trade negotiators at both national and at European level to ensure that our voices are heard in this important process.

4. The importance of enforcement

There was a general discussion as to importance of competent and consistent enforcement, not just across the UK but also across the whole of the single market. It was felt that in the UK, the range of tasks that local authority Trading Standards Departments had to deal with was creating an increasing challenge in providing the appropriate resources to the weighing industry sector. In his position as the TSi (Trading Standards Institute) vice-president he was very interested in these comments and was happy pass them back to the TSi for their views. We also asked if he could clarify with TSi the procedures that needed to be followed to ensure that local authorities acted upon the complaints that we brought to them. Whilst understanding the pressures that local authorities were under it is important that they react to complaints from businesses in the same way as other complaints.

The meeting and presentation was followed by a factory tour of the manufacturing premises at Avery Weigh-Tronix, which Malcolm found very informative.

The meeting continued over lunch. Malcolm was happy to continue supporting us in trying to bring the challenges of the industry to both European and National parliamentarians. Although fully understanding and agreeing with our concerns, there was little he could do in the short term to assist us except raise our concerns with other colleagues. He felt it was important that we continue to raise these issues and to keep the profile of the industry as high as possible with all government stakeholders.

The importance of working with other trade sectors that faced similar problems was also raised and there was a general agreement that collaboration with other associations, such as those that act on behalf of petrol pumps or water meters, would be beneficial as they shared many of the same challenges. It was also felt that we should consider working in conjunction with other trade associations that represent the manufacturing sector such as the EEF, as this would increase our influence with both national and local government.

It was disappointing to hear that Malcolm would not be standing at the next election, but he was very keen to continue assisting us where he could. He was also able to let us know who may be taking over the responsibilities in the IMCO committee and who the future local MEP's may be.

We thanked him for his time and agreed that we would be in touch before the next election to see how we could continue with this productive relationship.

If you have any questions please do not hesitate to contact me.

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