

Position Paper

REVIEW OF OUTDOOR NOISE DIRECTIVE (2000/14/EC) March 2022

Executive summary

The European Commission is reviewing [the Outdoor Noise Directive \(2000/14/EC\)](#) (OND). In the CEN and CENELEC position from 2018, we requested to use the New Legislative Framework (NLF) model for the forthcoming revision. However, according to the information provided in the EC expert group for the Outdoor Noise Directive 2000/14/EC (Noise Experts' Group) a full alignment with NLF isn't possible because of the specificities of the directive. Two options were proposed by the European Commission in the Noise Experts' Group: full revision (longer time) or a delegated act (shorter). The European Commission explained that the delegated act could be also the preparation for the revision. CEN and CENELEC support a mid-term solution i.e.: a delegated act to solve the most urgent matter which is to update the references of standards in this legal act.

At the same time, we draw attention to the solutions, which are used in the ecodesign field, in which the EU regulations set the limits, including the ones for noise, whereas the dedicated test methods for measuring requirements from the regulations are provided by a harmonized standard. This example indicates that there exists an alternative solution to having the references of standards inserted directly in the legal act.

Using the NLF for OND regulation

The New Legislative Framework (NLF) has for decades been recognized, both within and outside the EU, as an efficient and effective system with significant savings in time and costs for both regulators and the industry. As we highlight in the [CEN and CENELEC Strategy 2030](#), reinforcing and extending the NLF principles with a clear identification of roles and responsibilities, is a precondition for a well-functioning Single Market and optimally allows standardization to support the competitiveness, innovation and strategic autonomy of European industry.

The experience with the current OND, where generic noise measurement standards as well as noise test codes are fixed in the legislation, has shown that a more flexible approach with respect to the adaptation to the state of the art would be, in general, necessary. It is inappropriate that the OND contains in the Annex III several dated references to generic noise measurement standards. Most of the referenced standards are already outdated.

For the same reasons, it does not seem to be appropriate to have the noise test codes in the Annex III: fixing test methods in the legal act results in the situation that they become outdated over time. As result, these noise test codes in OND are not consistent anymore with corresponding noise test codes in harmonised standards supporting Machinery Directive 2006/42/EC.

Example of an alternative solution

The attention is drawn to the alternative solutions, for example in the field of ecodesign, in which the EU regulations set the limits, including the ones for noise, whereas the dedicated test methods for measuring requirements from the regulations are provided by a harmonized standard. This example refers specifically to the [Commission Regulation \(EU\) 2019/2023, 1 October 2019, which determines ecodesign requirements for household washing machines and household washer-dryers](#). This Regulation sets the limits for noise (Annex V of this Regulation) whereas the test method is provided by the harmonised standard EN 60704-2-4 'Household and similar electrical appliances - Test code for the determination of airborne acoustical noise - Part 2-4: Particular requirements for washing machines and spin extractors'.

If it is decided that the noise tests codes are to be moved from the OND to standards, it is of key importance to ensure that the test codes are not unilaterally imposed on CEN, without possibility to technically influence them and change them. This was the case in 2005 when a programming mandate M/373 was issued. And for this reason, it was rejected (BT decision C009/2006 BT N 7494).

Revising the OND with the principles of the NLF

In conclusion, CEN and CENELEC would favour a revision of the OND which is as much as possible in line with the principles of the NLF in order to facilitate the adaptation of generic noise measurement standards and noise test codes to the state of the art and to guaranty the constancy of machine specific noise test codes between OND and Machinery Directive 2006/42/EC. However, the outcome of the discussion in the Noise Experts' Group shows that the OND will not be fully aligned to the NLF model. Considering this, CEN and CENELEC supports the mid-term solution i.e.: a delegated act to solve the most urgent matter which is to update the references of standards in OND. At the same time, we ask that the relevant delegated act is updated on a regular basis. We also request the EC to continue with CEN and CENELEC the discussion on having more flexible model for the OND in the future.

ABOUT CEN AND CENELEC

CEN (European Committee for Standardization) and CENELEC (European Committee for Electrotechnical Standardization) are recognised by the European Union (EU) and the European Free Trade Association (EFTA) as European Standardization Organizations responsible for developing standards at European level, as per European Regulation 1025/2012. The members are the National Standards Bodies (CEN) and National Electrotechnical Committees (CENELEC) from 34 European countries. European Standards (ENs) and other standardization deliverables are adopted by CEN and CENELEC, are accepted and recognized in all of these countries. These standards contribute to enhancing safety, improving quality, facilitating cross-border trade and strengthening of the European Single Market. They are developed through a process of collaboration among experts nominated by business and industry, research institutions, consumer and environmental organizations, trade unions and other societal stakeholders. CEN and CENELEC work to promote the international alignment of standards in the framework of technical cooperation agreements with ISO (International Organization for Standardization) and the IEC (International Electrotechnical Commission).