CECIP European Weighing Industry

CECIP response to draft Norwegian legislation on AWI for fish

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CECIP, the European weighing industry associations, wants to respond to notification 2021/9015/N in the TRIS database on automatic weighing systems for use when landing fish in Norway. The European weighing industry believes it is not in line with EU legislation. This new proposed regulation describes technical requirements for automatic weighing instruments before they can put into use. At the moment, EU legislation on placing on the market measuring instruments already exists in Directive 2014/32/EU. As mentioned in article 1 of the directive sets: '*requirements that measuring instruments have to satisfy with a view to their being made available on the market and/or put into use for the measuring tasks referred to in Article 3(1).'* In the directive it is stipulated automatic weighing instruments are included in the scope.

The draft Norwegian legislation doesn't specify any reason for the new proposal. However, since article 3 (1) describes a wide ranges of reasons CECIP believes it is unlikely the draft Norewegian legislation is proposed for other reasons than mentioned in article 3 (1).

In Directive 2014/32/EU it is specified in article 7 (1) that: *Member States shall not impede for reasons covered by this Directive the making available on the market and/or putting into use of any measuring instrument that satisfies the requirements of this Directive.*

As part of the European Economic Area, Norway is part of the European Single Market, which makes Directive 2014/32/EU also applicable in Norway. By setting technical requirements for automatic weighing instruments for fish on top of the existing requirements in EU legislation, the putting into use of these measuring instruments is impeded. Therefore, CECIP believes that the new Norwegian legislation is in breach of article 7 (1) of Directive 2014/32/EU.

Moreover, paragraph 4 of the proposed legislation sets administrative requirements for putting an instrument into use. A manufacturer needs to inform the Norwegian Metrology Services about the buyer of an automatic weighing instruments used for fish. CECIP believes this is impedes the putting into use of the weighing instruments as well.

To sum up, the legislation proposed and explained in notification 2021/9015/N sets technical and administrative requirements before an automatic weighing instrument can be put into use for weighing fish. At the moment Directive 2014/32/EU on measuring is applicable in Norway and prohibits restrictions on putting into use measuring instruments such as automatic weighing instruments. Therefore, CECIP is convinced the new draft Norwegian legislation is contradicting the EU directive and should be withdrawn.

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