

Industry concerns on PPEs for their customers and workers

In response to COVID-19 crisis several of our industry members committed to drastically increase production of critical equipment, including ventilators. As global players, our members have their manufacturing sites in different countries, also outside of the EU. To allow the production and installation of such equipment and their accessories and parts, there is a need to ensure a proper protection of their customers and workers. However, they are facing two issues and are kindly proposing some immediate actions to the EU.

1. The Commission Implementing Regulation (EU) 2020/402 of 14 March 2020¹ making the exportation of certain products subject to the production of an export authorization, requires an export license for shipping protective equipment to non-EU countries. In practice, for every shipment of personal protective equipment for the workers, we need to request a separate license. This results in huge administrative burden, delays in shipments and a threat to production and installation of critical equipment. **This procedure could be simplified if Member States were allowed to give a global export license for certain types of products or if the Regulation would actually create an exception to allow companies to export for their own use in critical sectors. We ask the EU policy makers to include such provisions in the new Regulation², to be applicable as of 26 April.**
2. The Commission Recommendation (EU) 2020/403 of 13 March 2020³ on conformity assessment and market surveillance procedures within the context of the COVID-19 threat specifies that Member States take all appropriate measures to ensure that PPEs or medical devices not bearing the CE marking, which may be placed on the Union market in accordance with paragraph 8 of the present Recommendation are only made available to healthcare workers. In the situation of global shortage of face masks and taking seriously our industries' duty to protect their employees, they procured a number of non-CE marked masks for their customers-facing employees performing critical activities in hospitals. However, because of the limitation of use to healthcare workers only, they cannot provide them to their employees. **This difficulty could be eliminated if the European Commission extended the possibility for customer-facing employees working with for example COVID-19 critical equipment to use non-CE marked face masks. We ask the EU policy makers to envisage such an extension.**

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020R0402&from=EN>

² https://trade.ec.europa.eu/doclib/docs/2020/march/tradoc_158671.pdf

³ <https://op.europa.eu/en/publication-detail/-/publication/a247dab0-6794-11ea-b735-01aa75ed71a1/language-en>