Challenges in complying with the requirements of the Cyber Resilience Act and the Machinery Regulation

2 November 2026

Summary

The European Garden Machinery industry Federation (EGMF), the European Power Tool Association (EPTA), EUnited, the European Materials Handling Federation (FEM), the European agricultural machinery industry association (CEMA) and the Committee for European Construction Equipment (CECE) have identified compliance challenges to comply with the provisions concerning the declaration of conformity (DoC) for a product that falls within both the Cyber Resilience Act, Regulation (EU) 2024/2847 and the Machinery Regulation, Regulation (EU) 2024/1230. These challenges arise due to the regulations containing contradictory requirements.

1. Form of the DoC– Cyber Resilience Act

Cyber Resilience Act (CRA) Article 13, paragraph 18 of, "Obligations of manufacturers", states: '*Manufacturers shall ensure that products with digital elements are accompanied by [an EU declaration of conformity] in paper or electronic form'*.

Paragraph 20 adds: '*Manufacturers shall either provide a copy of the EU declaration of conformity or a simplified EU declaration of conformity with the product with digital elements. Where a simplified EU declaration of conformity is provided, it shall contain the exact internet address at which the full EU declaration of conformity can be accessed'.*

Our interpretation of the above is that manufacturers can provide the full DoC in paper form or electronic form. If it is the latter, a simplified DoC must also be provided and, although the legal text does not explicitly state that this must be in paper form, our interpretation is that the simplified DoC must be provided either on paper or printed on the product or packaging.

The important point to note is regardless of whether the manufacturer decides to provide the full DoC in paper or electronic form, we believe that manufacturers are required to provide

some form of DoC that physically accompanies the product. In either scenario, manufacturers are obliged to provide some type of DoC in paper format.

2. Form of the DoC – Machinery Regulation

When the Machinery Regulation (MR) is applicable from 20 January 2027, manufacturers have the option of providing the DoC in either paper or digital format. It contains no requirement for a simplified DoC should a manufacturer decide to provide the DoC in a digital format.

Article 10, paragraph 8 of the MR, "Obligations of manufacturers of machinery and related products", states: '*Manufacturers shall ensure that the machinery or related product is accompanied by the EU declaration of conformity… or, alternatively, manufacturers shall provide the internet address or machine-readable code where that EU declaration of conformity can be accessed in the instructions for use'.*

This means that, as of 20 January 2027, manufacturers can provide the DoC in either paper or digital format. However, the political agreement achieved at the conclusion of the Omnibus IV trialogue negotiations, will require that, after 30 months after Omnibus IV enters into force, manufacturers must, as a minimum, provide the DoC in a digital format; a paper DoC alone will not be permitted from that date. Paragraph (2)(a) of Article 5 of the provisional text states: '*manufacturers shall draw up the EU declaration of conformity, in digital format'.*

As a result, once the Omnibus IV requirements are applied, manufacturers must provide machinery DoCs in a digital format.

3. The challenge

The main issues raised by our associations fall into two broad categories.

Firstly, on a technical level, manufacturers of products that fall within the scope of both the CRA and MR face legal uncertainty, since there are conflicting requirements between the CRA and MR. Once Omnibus IV applies, manufacturers will, according to the amended MR, be required to provide the DoC in digital format whilst, at the same time, manufacturers will also, according to the CRA, be required to provide some form of paper DoC with the product.

However, paragraph 3 of Article 21 of the MR states: '*Where machinery or a related product is subject to more than one Union legal act that requires an EU declaration of conformity, a single EU declaration of conformity shall be drawn up in respect of all such acts'.*

Based on the above-mentioned requirements, there seems to be a legal contradiction for manufacturers, who need to produce a single DoC covering every piece of applicable EU legislation. This will result in the manufacturer either being compliant with the CRA or with the MR, but not both.

Secondly, on a conceptual level, it seems odd that the CRA, a regulation that sets requirements dealing with new technological developments, specifically products with digital elements, still requires information to be provided in paper format. While other legal acts affecting modern machinery are transitioning to allow manufacturers to provide information in a digital format in line with the "*digital by default*" principle, the CRA stands alone, as it still requires paper documents to be provided. Our associations recognise that this is mainly due to the CRA being excluded from Omnibus IV, but it is a situation that needs to be addressed without delay.

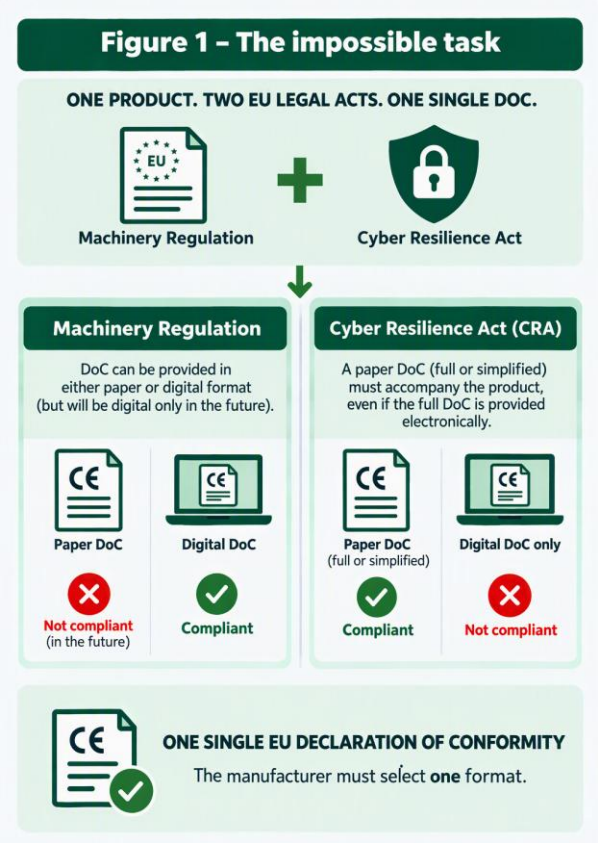


Figure 1 -The impossible task (AI generated)

4. The solution

We consider that the two challenges identified above can be resolved relatively simply.

The main purpose of the CRA's simplified DoC is to provide the internet address at which the full EU DoC can be accessed. However, in accordance with the MR requirements, the machine will already need to affix a mark, e.g. QR code, on the machine (or on its packaging or in an accompanying document) that takes users to the manufacturers dedicated digital documentation webpage, where they will find the digital DoC. The purpose of the CRA's simplified DoC therefore seems to be redundant.

We believe that the purpose of the CRA's simplified DoC is already covered by the mark on the machine. Machine users will retain access to the digital DoC; they will simply access it using the

mark on the machine (or packaging or accompanying document) rather than through the information provided in the simplified DoC.

It should not be forgotten that the aim of the EU institutions to move towards digital documents is to eliminate the use of paper documents with the product to reduce waste and protect the environment.

5. Recommendation

Our associations call on the European Commission to align the CRA provisions with those included in the MR as amended by Omnibus IV, and subsequently to provide clarification, e.g. through guidance or any other document or instrument it considers appropriate, that, for products that fall within the scope of both the CRA and MR, manufacturers can provide a single digital DoC accessed by a mark on the machine (or on its packaging, or in an accompanying document) without also being required to provide a simplified DoC.

We stand ready to work with the European Commission on developing a much-needed clarification on this matter.

About EGMF

The European Garden Machinery Industry Federation (EGMF) represents large and small manufacturers of garden, landscaping, forestry, and lawn maintenance equipment. Through its 41 member bodies – 7 national associations and 36 companies – EGMF represents about 17 million units placed on the European market every year, accounting for around 80% of garden machinery, and EGMF members employ over 120,000 people in the EU.

About EPTA

The European Power Tool Association (EPTA) represents 23 European manufacturers of electrical power tools with a strong production and/or R&D base in Europe. Its members represent around 90% of corded and cordless professional power tool sales in Europe, the latter of which use lithium-ion rechargeable batteries.

About EUnited

EUnited is the European association representing manufacturers of municipal equipment, professional cleaning machines and vehicle wash systems. It brings together more than 60 member companies in 16 European countries.

About FEM

The European Materials Handling Federation (FEM) has represented European manufacturers of materials handling, lifting and storage equipment since it was founded in 1953. FEM currently consists of 15 members, 13 from the EU, as well as UK and Türkiye. In total, FEM represents more than 1,000 companies with about 160,000 employees, covering around 80% of all eligible European companies. It thus accounts for more than half of the world's total production.

About CEMA

CEMA aisbl is the association representing the European agricultural machinery industry. With 11 national member associations, the CEMA network represents both large multinational companies and numerous European SMEs active in the sector. CEMA represents about 1,300 manufacturers, producing more than 450 different types of machines with an annual turnover of about €40 billion and 150,000 direct employees. CEMA companies produce a large range of machines that cover any activity in the field from seeding to harvesting, as well as equipment for livestock management.

About CECE

CECE, the Committee for European Construction Equipment, represents the interests of 1,200 construction equipment manufacturers through national trade associations in Europe. CECE manufacturers generate €60 billion in yearly revenue, export a sizeable part of the production, employ around 300.000 people overall. They invest and innovate continuously to deliver equipment with highest productivity and lowest environmental impact. Efficiency, safety and high-precision technologies are key.