



# EGMF response to European Parliament's (IMCO) final compromise amendments on the Omnibus IV proposal

## Overview

Although presented as an instrument for simplification, the omnibus IV package in fact introduces new and unnecessary requirements that add burdens rather than reduce them. This raises a fundamental question about the act itself, as its stated objective to simplify does not appear to be achieved, or even clearly pursued.

### 1. Direct access to digital DoC – COMP 1

European Parliament (IMCO) Proposed compromise amendments 4 and 5 which mandates that the digital DoC is “directly accessible” and Council of the EU proposal which introduce the concept of “directly accessible” raise concern.

EGMF fully supports the objective of ensuring that market surveillance authorities (MSAs) can easily retrieve the Declaration of Conformity (DoC). However, we have concerns about how the term “directly accessible” might be interpreted. EGMF advocates that, when the MSA wishes to access the DoC through the internet address or machine-readable code that is provided by the manufacturer they are taken to a webpage (sometimes referred to as a landing page) where, by entering some very simple information, such as the serial number of the machine, they are then taken to the specific DoC for that machine. This respects the requirement that access to the DoC avoids the need to navigate through search menus, with no additional login procedures or registrations being needed, whilst remaining free of charge and without the need to provide any personal data.

EGMF has serious concerns about the practicalities and costs associated with the “direct access” obligation, which would require each QR code to link to a unique, individual DoC. Every update to the DoC, such as adding a reference to an OJEU citation or incorporating an amendment, would require generating a new link and reprinting all associated documentation accompanying the product, such as the instructions for use containing the DoC as required for products under the Machinery Regulation. This constant modification of links and update of printed documents results in significant costs and environmental waste, as paper documents (including printed instructions for

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use) would need to be discarded solely because the link has changed due to any possible number of minor changes to the DoC, such as changes to EU legislation or European standards.

## 2. Deadline for requesting paper instructions - COMP 2

European Parliament (IMCO) Proposed compromise amendment which extends consumers time to request paper instructions for up to 24 months after purchase, and professional users to 6 months raises multiple concerns.

EGMF has significant concerns about this proposal.

The proposal introduces the term “consumer” but there is no definition of “consumer” in many of the Regulations covered by the Omnibus IV proposal, including the Machinery Regulation, hence setting requirements that use this term would lead to legal uncertainty.

We are also of the opinion that the proposed amendment is unenforceable because it requires the manufacturer to be able to differentiate between consumers and professional users. The manufacturer cannot possibly verify, upon receiving a request, whether it came from a consumer or professional user, hence they cannot know whether the request was made within the permitted timeframe.

## 3. Entry into force and application (for Machinery Regulation) - COMP 5

The Omnibus IV proposal generally allows a 24-month transition period, i.e. its provisions apply 24 months after the entry into force dates. This transition period is vital for manufacturers, who need this time in order to prepare their products, IT systems, etc, so that they remain compliant with the legal requirements. However, for the Machinery Regulation, the Omnibus IV proposal foresees a significantly shorter transition period. Assuming an entry into force in Q2 2026, manufacturers would have less than six months to comply with the new requirements, far below the horizontal 24-month period.

In addition, applying the Machinery Regulation on a different timeline than the other NLF legislations would create legal uncertainty regarding the digital-only DoC required by the Machinery Regulation. From 20 January 2027, the Machinery Regulation obliges manufacturers to provide the DoC exclusively in digital form, while other legislation applicable to machinery - such as the Outdoor Noise Directive - will still require a paper DoC until their later entry into force.

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Because a single DoC must cover all applicable EU legislation, manufacturers would face conflicting obligations: digital-only for the Machinery Regulation, yet still paper-based for the remaining NLF acts. This inconsistency would persist until the Omnibus IV aligns the timelines, at the earliest two years after its publication.

EGMF therefore advocates that a 24-month transition period is granted for the application of the Omnibus IV amendments to the Machinery Regulation, which is in line with the transition period being proposed for other legislations.

#### **4. Common specifications – COMP 4**

EGMF opposes to the European Parliament proposal for an “urgency clause” which would allow the Commission to adopt common specifications. Moreover, while the European Parliament proposes a temporary Common Specifications mechanism modelled on Article 14 of the Toys Regulation, members remain concerned that, despite the involvement of an expert group, the process does not foresee meaningful industry participation in the actual drafting of those specifications.

#### **5. Digital-only DoC**

In principle, EGMF does not support the proposed requirement that a DoC can only be provided in a digital format. EGMF has, for many years, been at the forefront of advocating that documentation can be provided in a digital format and we are generally very pleased at recent regulatory developments in this matter. However, we strongly believe that manufacturers should have the option of providing the DoC in either a digital or paper format, as recently agreed to in the Machinery Regulation. This is because, whilst we encourage the application of digitalisation, in many cases, such as for SMEs, small production runs or for custom-made machinery, paper remains the most suitable or preferred format.