

## Annex II: REFIT initiatives<sup>1</sup>

No.	Title	Simplification objective / potential (short explanation of the REFIT objective of the revisions, and simplification potential for evaluations and fitness checks)
<b>A European Green Deal</b>		
1.	<b>Evaluation of marketing standards (contained in the single Common Market Organisation (CMO) Regulation, the "breakfast directives" and CMO secondary legislation)</b>	The evaluation of marketing standards will help to assess the coherence between the various pieces of legislation as well as to identify potential for simplification. The evaluation's results might serve as a basis for the reflection on the need for regulatory changes related to marketing standards.
2.	<b>Evaluation of Geographical Indications and Traditional Specialities Guaranteed protected in the EU</b>	The evaluation of geographical indications and traditional specialities guarantees will help to assess the coherence between the various pieces of the legal framework for EU quality schemes and will provide the opportunity to consider the need for its improvement (modernisation, simplification and streamlining). Its results might serve as basis to reflect on the need for regulatory changes related to EU quality schemes.
3.	<b>Revision of the Guidelines on certain State aid measures in the context of the greenhouse gas emission allowance trading scheme post-2020</b>	Member States can compensate some electro-intensive users for part of the higher electricity costs resulting from the EU Emissions Trading Scheme. The objective of such compensation is to minimise carbon leakage risk, which materialises when emission costs cause relocation from the EU to third countries without comparable constraints. The existing rules allowing for compensation will be revised to ensure that they are adapted to the new Emissions Trading Scheme for the period 2021-2030. (non-legislative, incl. impact assessment, Q4 2020)
4.	<b>Revision of the Trans-European Energy Networks (TEN-E) Regulation</b>	This initiative will ensure that the TEN-E Regulation is fully in line with the European Green Deal and the Union's long-term decarbonisation objectives while contributing to sector and market integration, security of supply and competition. (legislative, incl. impact assessment, Articles 170-171 TFEU, Q4 2020)
5.	<b>Evaluation of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (ROHS)</b>	The evaluation of the ROHS Directive will assess its effectiveness and efficiency in terms of the procedure for adopting substance restrictions and granting exemptions to restrictions. It will also assess its coherence with and relevance to other EU legislation, in particular, in light of the evaluations of REACH and Ecodesign Directive.
6.	<b>Evaluation of Directive 2000/53/EU on end-of-life vehicles (ELV)</b>	The evaluation of the ELV Directive will assess its effectiveness, efficiency, coherence with other legislation and relevance in light of the wider policy objectives on circular economy, plastics, resource efficiency, raw materials etc.
7.	<b>Evaluation of the Directive 2010/75/EU on industrial emissions (IED)</b>	The evaluation of the IED Directive will assess its effectiveness, efficiency, EU added-value, coherence with other legislation and relevance to address important (agro) industrial sources of air, water and soil pollution.

<sup>1</sup> This annex sets out the most significant revisions, evaluations and Fitness Checks the Commission will undertake, including evaluation work to follow up the Opinions of the REFIT Platform. They will be finalised by the end of 2020.

No.	Title	Simplification objective / potential (short explanation of the REFIT objective of the revisions, and simplification potential for evaluations and fitness checks)
8.	<b>Fitness check of EU rules against illegal logging (EU Timber Regulation, Regulation (EU) No 995/2010 and EU FLEGT Regulation (EC) No 2173/200)</b>	The fitness check will assess the effectiveness, efficiency, coherence, relevance and the EU added-value of the both regulations in contributing to the fight against illegal logging globally. The lessons learnt from the fitness check will be useful for the assessment of demand side measures for other commodities.
9.	<b>Revision of the EU Battery Directive</b>	As concluded by the evaluation/implementation reports of the Batteries Directive, the revision should aim to better factor in circularity, improve sustainability and keep pace with technological developments. This is foreseen also in the Batteries Strategic Action Plan. Following the conclusions of the reports on the Directive, the initiative will modify the Directive or a proposal for a new Regulation repealing the Directive will be prepared, to notably encompass end-of-life and sustainability requirements. (legislative, incl. impact assessment; Q4 2020)
10.	<b>Fitness Check on the relevant EU legislation on endocrine disruptors</b>	Endocrine disruptors are substances that alter the functioning of the endocrine (hormonal) system and negatively affect the health of humans or animals. A variety of EU measures regulates these substances. The fitness check will assess whether these measures deliver the overall objective to protect human health and the environment. It will assess the coherence, effectiveness, efficiency, relevance and EU added-value of EU legislation, with emphasis on coherence across the chemicals acquis.
11.	<b>Revision of the Marketing standards Regulation applicable to fishery and aquaculture products in the EU</b>	This revision will simplify the legal set-up: one (EU) Regulation will replace three regulations currently covering also aquaculture products, transparency and consumer information. (legislative, incl. impact assessment, Article 43 TFEU, Common Fisheries Policy, Q4 2020)
12.	<b>Evaluation of Regulation 913/2010 concerning a European rail network for competitive freight (Rail Freight Corridor Regulation)</b>	Increasing freight transport by rail is a key element of EU policy to reduce transport CO <sub>2</sub> emissions, but it is facing difficulties. The Regulation on rail freight corridors aims to improve cooperation and coordination along a number of corridors with particular potential for developing international rail freight. Regulation (EU) 913/2010 concerning a European rail network for competitive freight has entered into force in 2010, and nine rail freight corridors were established, with two more corridors added later. The aim of this evaluation is to provide a complete overview of the implementation of the Regulation as well as an assessment of its effects. It will be useful to determine what further action at EU level is needed to boost rail freight.
13.	<b>Evaluation of Directive 2009/128/EC on the Sustainable Use of Pesticides</b>	This evaluation will look, <i>inter alia</i> , at the progress achieved by the Directive in reducing dependency on pesticides and stimulating the take-up of low-risk and non-chemical alternatives to pesticides. Simplification potential will also be considered, for example concerning the rules for inspection of pesticides application equipment and new official control rules.
14.	<b>Evaluation of the EU Animal Welfare Strategy (2012-2015)</b>	This evaluation will look at the extent to which the EU Animal Welfare Strategy has contributed to simplifying the EU animal welfare framework and at the remaining scope for simplification, having regard to the evolution of needs in this area.

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15.	<b>Evaluation on authorisation of plant protection products and maximum residue levels for pesticides</b>	<p>This evaluation covers the implementation and functioning of Regulation 1107/2009 on plant protection products and Regulation 396/2005 on maximum residue levels in all Member States since their applicability in June 2011 and September 2008, respectively. It proposes possible ways to enhance the implementation of the Regulations in order to simplify or strengthen the current regulatory framework, e.g. to address delays and increase transparency, improve the zonal system for authorisation and mutual recognition of authorisations, promote sustainable plant protection, low risk solutions and efficient risk mitigation, as well as to increase coherence and consistency between the Regulations and other EU legislation.</p> <p>The evaluation looks also into the issues raised in the <a href="#">REFIT Platform opinion XI.10.a</a> on Multiple use/Multiple source substances – Chlorate adopted on 7/6/2017 and in the <a href="#">REFIT Platform opinion XI.22.a</a> on the registration of plant protection products – adopted on 14/03/2019.</p>
16.	<b>Evaluation of Regulation (EC) No 1924/2006 on nutrition and health claims made on food with regard to nutrient profiles and health claims made on plants and their preparations and of the general regulatory framework for their use in foods</b>	<p>This evaluation looks at the issue raised by the <a href="#">REFIT Platform Opinion XI.11.a-b</a> on the establishment of nutrient profiles. The evaluation assessed the impacts of the current situation (where no nutrient profiles exist at EU level). It looks at whether nutrient profiles are still fit for their purpose, warranted and adequate to ensure the objectives of the Claims Regulation. The results of this evaluation are also awaited to address the issues raised on Traditional Herbal Medicines Products Directive by businesses, as included in the <a href="#">REFIT Platform opinion XI.6.a-b</a>.</p>
17.	<b>Evaluation of Food Contact Materials</b>	<p>This evaluation scrutinises all aspects of the current EU food contact materials legislation, including the effectiveness of the declaration of compliance, which is currently required for specific measures at EU level. On the basis of this evaluation, the Commission will consider if further measures are necessary at EU level, including consideration of different issues such as the one raised by the <a href="#">REFIT Platform Opinion XI.1a</a>, which recommends a common European requirement for a declaration of compliance for all types of food contact materials.</p>
18.	<b>Evaluation of the Directive 2005/44/EC on harmonised river information services (RIS) on inland waterways in the Community</b>	<p>River information services (RIS) make use of information and communication technology (ICT) to support safety, efficiency and environmental friendliness of inland waterway transport. The RIS Directive provides a framework for minimum requirements and technical specifications for the provision and implementation of RIS to assure harmonisation, interoperability and cross-border compatibility of Member States' RIS systems for waterways of class IV or above. The evaluation looks at the Directive's implementation and at the sector's recent organisational and technological developments, particularly of digital technologies. It also assesses potential areas for simplification in the process through which updates to the technical specifications under the Directive are being conceived.</p>
<b>A Europe fit for the Digital Age</b>		
19.	<b>Report from the Commission to the European Parliament and the Council on the Application of Regulation (EU) 910/2014 on electronic identification and trust services for electronic transactions in the internal market (eIDAS Regulation)</b>	<p>The Commission shall report on the application of Regulation (EU) 910/2014 to the European Parliament and the Council by 1 July 2020, as required by Article 49 of the Regulation. The report will assess to what extent the eIDAS framework remains fit for purpose delivering the intended outcomes, results and impacts and may identify possible further actions to improve regulatory performance. The Commission will conduct an evaluation in line with the Better Regulation guidelines, also involving a public and a targeted stakeholder consultation.</p>

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20.	<b>Review of the Broadband Cost Reduction Directive (Directive 2014/61/EU)</b>	The review aims to reduce unnecessary and costly administrative burden, which can significantly deter and delay network deployment. It aims to improve further the current measure by simplifying permits and procedures or by making the engineering works more agile by improving coordination with other infrastructures (roads, energy, etc.). This can represent an important opportunity for new legislation to reduce overall administrative burdens in the sector.
21.	<b>Review of the Regulation on the internal market and cross-border e-commerce (Geo-Blocking)</b>	The Commission shall report on the evaluation of this Regulation to the European Parliament, the Council and the European Economic and Social Committee by 23 March 2020, as required by Article 9 of the Regulation (EU) 302/2018. The Commission shall take into account the overall impact of the Regulation on the internal market and cross-border e-commerce, including, in particular, the potential additional administrative and financial burden for traders stemming from the existence of different applicable regulatory consumer contract law regimes.
22.	<b>Revision for the Recommendation on the digitisation and online accessibility of cultural material and digital preservation (2011/711/EU)</b>	The on-going evaluation assesses one of the main policy instruments on digitisation, online access and digital preservation of cultural heritage material with the objective to gather stakeholders views on a possible update to better reflect today's public needs in this area, and increase the potential of Europe's cultural heritage for the benefit of citizens. The revision will look at these aspects in line with current technology trends and the needs of the sector.
23.	<b>Fitness check of 2012 State aid modernisation package, railways guidelines and short term export credit insurance</b>	Due to the State aid modernisation, today, 96% of new implemented aid measures are in the hands of national authorities. This allows more rapid implementation by the Member States and the focus of State aid control being more "big on big things and small on small things". The ongoing fitness check seeks, among others, to assess to what extent the current regime has contributed to achieving a reduction of the administrative burden and whether there is a further potential for streamlining and simplifying State aid rules.
24.	<b>Evaluation of the Vertical Block Exemption Regulation</b>	The ongoing evaluation of the Vertical Block Exemption Regulation and Guidelines on Vertical Restraints seeks notably to assess to what extent the current regime has achieved its objective of providing a safe harbour for vertical agreements that are on balance efficiency enhancing, thus creating legal certainty and reduced compliance costs for stakeholders. This includes identifying areas in which the current regime may not properly reflect new market developments as well as possible gaps, which may have resulted in legal uncertainty, inconsistencies in the enforcement of the vertical rules in different EU Member States and therefore increased compliance costs for stakeholders.
25.	<b>Evaluation of procedural and jurisdictional aspects of EU merger control</b>	The ongoing evaluation focuses on simplification and cutting red tape where appropriate, streamlining of the referral system and other improvements of a technical nature. Moreover, in light of the recent debate on the effectiveness of the purely turnover-based jurisdictional thresholds of the EU Merger Regulation, the evaluation also seeks to assess whether these allow capturing all transactions, which can potentially have an impact in the internal market.
26.	<b>Targeted modification of the General Block Exemption Regulation in relation to the EU funding programmes</b>	The Commission aims at modifying the General Block Exemption Regulation in a targeted manner to accompany the next Multiannual Financial Framework. The proposal will ensure that national funding, from Member States' funds or from ESI Funds managed at national level, and centrally-managed EU funds can be combined seamlessly in the following areas: in financial products supported by the InvestEU Fund; RDI projects with a Seal of Excellence under H2020 or Horizon Europe, as well as co-funded projects and teaming actions under H2020 or Horizon Europe; and European Territorial Cooperation projects. (Q3 2020)

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27.	<b>Consortia Block Exemption Regulation (exemption from Article 101 TFEU for certain types of cooperation agreements among container shipping operators)</b>	The extension of the current Consortia Block Exemption Regulation for another four years will continue to simplify the analysis of consortia's compliance with competition rules, limit the dependency on external advice and reduce legal costs. (Q2 2020)
28.	<b>Evaluation of the Low Voltage Directive 2014/35/EU</b>	The low voltage directive (LVD) ensures that electrical equipment within certain voltage limits provides a high level of protection for European citizens, and benefits fully from the single market. It has been applicable since 20 April 2016. The purpose of this evaluation is to assess if the Directive is fit for purpose in terms of effectiveness, efficiency, relevance, coherence, EU added-value. On the basis of the conclusions on the performance of the Directive, the Commission will assess which next steps may be necessary to improve the performance of the Directive.
29.	<b>Evaluation of the Postal Services Directive 97/67/EC</b>	The postal sector is going through substantial changes due to digitalisation. The Postal Services Directive (97/67/EC) dates from 1997 and was revised in 2002 and 2008. The report on the application of the Directive will be accompanied by an evaluation to assess if the Directive is still fit for purpose and future-proof.
30.	<b>Evaluation of the 'SME Definition'</b>	The scope of this initiative is the Commission Recommendation concerning the definition of micro, small and medium-sized enterprises (2003/361/EC). It sets out the criteria to determine whether an enterprise is an SME (i.e. staff head-count, turnover/ balance sheet total and independence) and has been applied since 01/01/2005 when it replaced Recommendation 96/280/EC. As the Recommendation is referenced in over 100 EU legal acts covering a wide range of EU policies such as State Aid, a replacement will also have to address those references.
31.	<b>Revision of the Machinery Directive 2006/42/EC</b>	The initiative aims to: i) address the risks stemming from new technologies while allowing for technical progress,, ii) simplify the requirements for documentation by allowing digital formats, hence to reduce administrative burden for economic operators, with an additional positive impact on environmental costs, iii) to improve the legal clarity of some major concepts and definitions in the current text of the Directive, iv) to ensure coherence with other Directives and Regulations for products and improve enforcement of the legislation through the alignment to the New Legislative Framework, v) reduce costs of transposition by converting the Directive into a Regulation. (legislative, incl. impact assessment, Article 114 TFEU, Q4 2020)
32.	<b>Evaluation of EU legislation on design protection</b>	The purpose of the evaluation is to analyse to what extent the current EU legislation on design protection has achieved its objectives in terms of efficiency, effectiveness, relevance, coherence and EU added-value, and it shall provide clear indications of the degree to which that legislation is still considered to be fit for purpose. The evaluation shall identify opportunities for streamlining registration procedures with a view to facilitating the simple uptake of design protection in the EU with potential reduction of costs and administrative burdens to the benefit of businesses, designers and SMEs.
33.	<b>Evaluation of the Driving Licence Directive 2006/126/EC</b>	The ex-post evaluation will assess how well the Directive has performed in improving road safety, facilitating free movement and reducing the possibility of fraud. It will also examine technical progress e.g. as regards vehicles and digitalisation (digital licences).

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<b>An Economy that Works for People</b>		
34.	<b>Uniform rounding rules (Follow up of Report on recent developments as regards euro coins COM(2018) 787 final/2 )</b>	Evaluation of the use of one- and two-euro cent coins and of the possibility to introduce common rounding rules. A possible proposal would introduce common rounding rules to address the challenges related to the use of one- and two-euro cent coins (legislative, incl. impact assessment, Article 133 TFEU, Q4 2020)
35.	<b>Fitness Check on Public Corporate Reporting by companies</b>	The aim of this fitness check is to assess whether EU legislation on regular and public reporting by companies continues to meet the stakeholders' need for information on companies' activities, performances, risks, and impacts.
36.	<b>Evaluation of legislation on trade in drug precursors</b>	Regulation (EC) No 273/2004 and Regulation (EC) No 111/2005 on drug precursors will be evaluated in the light of their objective, which is to set up a monitoring and control system of the trade in drug precursors to prevent their diversion from the legal supply chain into the illicit drug production. In addition to those two Regulations, the evaluation will cover their associated acts, Delegated Regulation 2015/1011 and Implementing Regulation 2015/1013.
37.	<b>Evaluation of Regulation on mutual assistance in customs matters 515/97</b>	Regulation 515/97 ensures the correct application of the EU customs legislation. Since the 2015 revision of Regulation 515/97, new developments (such as new data protection regime, new fraud risks) have been recorded. The evaluation will assess the overall functioning of Regulation 515/97 by also making use of a targeted consultation.
<b>A Stronger Europe in the World</b>		
38.	<b>Evaluation of the trade pillar of six EU's Association Agreements with EUROMED countries (Tunisia, Morocco, Egypt, Jordan, Algeria and Lebanon)</b>	This evaluation might identify opportunities for streamlining procedures with potential reduction of costs and administrative burden and simplification of processes. Furthermore, these potential benefits might be used in any future re-negotiation of this agreement or in the negotiation of agreements with other countries.
39.	<b>Evaluation of the implementation of the EU-CARIFORUM Economic Partnership Agreement</b>	This evaluation might identify opportunities for streamlining procedures with potential reduction of costs and administrative burden and simplification of processes. Furthermore, these potential benefits might be used in any future re-negotiation of this agreement or in the negotiation of agreements with other countries.
40.	<b>Torture Free Trade</b>	Review Regulation (EU) 2019/125 ('Anti-torture Regulation') concerning trade in certain goods, which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment. Under Article 32 of the 'Anti-torture Regulation', the Commission shall review its implementation by 31 July 2020, and every five years thereafter. On the basis of a review report to be adopted by July 2020, the Commission will decide whether any amendments to the Regulation should be proposed. Without prejudice to the outcome of the review and while ensuring that relevant goods remain subject to effective restrictions, potential areas of simplification on for instance reporting requirements or exchanging information could be considered.

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<b>Promoting our European Way of Life</b>		
41.	<b>Evaluation of Paediatric Regulation (EC) No 1901/2006 and of Orphan Medicinal Products Regulation (EC) No 141/2000</b>	This evaluation will provide meaningful input to the future EU pharmaceutical strategy. Based on the available evidence, the evaluation assesses the strengths and weaknesses of the Orphan and Paediatric Regulations both separately and combined. The evaluation focuses, <i>inter alia</i> , on products catering for unmet medical needs and on how the incentives provided in current legislation have been used.
<b>A New Push for European Democracy</b>		
42.	<b>Commission Proposal to review Directive 2008/48/EC on credit agreement for consumers</b>	The ongoing evaluation of the directive will focus on the progress made, its costs and benefits. It will also focus on whether original objectives and tools of the Directive correspond to current needs, on monitoring how the Directive works together with other pieces of legislation and whether the EU intervention has delivered a benefit. Based on the outcome of the evaluation, the review will ensure better consumer information and understanding of consumer credits, taking into account the digitalisation in the provision of such products. It will aim at providing better protection for consumers from irresponsible lending practices, particularly those spread online. (legislative, incl. impact assessment, Article 114 TFEU, Q4 2020)
43.	<b>Commission Proposal to review Directive 2002/65/EC on the distance marketing of consumer financial services</b>	The ongoing evaluation will assess whether the original objectives have been achieved, how the Directive is functioning from a cost/benefit, burden reduction and simplification perspectives, and how the Directive works together with other legislation in the field of retail financial services, consumer protection and data protection. The analysis will assess whether the tools of the Directive correspond to the original and current needs and its EU added-value. Based on the outcome of the evaluation, the review will ensure better understanding of retail financial products taking into account the digitalisation in the provision of such products. It will aim at providing better protection for consumers from irresponsible lending practices, particularly those spread online. (legislative, incl. impact assessment, Article 114 TFEU, Q4 2020)
44.	<b>Revision of the General Product Safety Directive 2001/95/EC (Regulation; legal basis Article 114 TFEU)</b>	The initiative will tackle the safety issues of products brought about by new technologies; address the need for more concrete actions on online selling; update the general legal framework on product safety; and in the light of the new Regulation (EU) 2019/1020 on market surveillance and compliance of products, fill the existing gap between harmonised and non-harmonised products as far as market surveillance is concerned. The revision would also improve the effectiveness of product recalls and the coverage of new product safety risks. It should strengthen the enforcement powers of Member States in particular in relation to import controls. (legislative, incl. impact assessment, Article 114 TFEU, Q4 2020)