

CAPIEL[★]

european coordinating committee of manufacturers
of electrical switchgear and controlgear

CAPIEL Guidance **for voluntary listing of** **state-of-the-art product** **standards**

September 9th, 2025

CAPIEL: Guidance for the voluntary listing of state-of-the-art product standards

1 Purpose of this document

This guidance document describes the preconditions for the listing of important product standards that represent the 'state-of-the-art' throughout Europe and internationally on the internet page of CAPIEL. Irrespective of a European listing in the EU Official Journal, the standards that meet the criteria of this guidance can be used for corresponding products to comply with European regulations.

+++ IMPORTANT +++

The final decision as to which standards are used in an (EU) declaration of conformity for a product always lies with the manufacturer and must be determined by the manufacturer regarding the product's area of application.

2 CAPIEL Products

CAPIEL is the European Coordinating Committee for the National Associations of Manufacturers of Low Voltage Switchgear and Controlgear equipment for industrial and tertiary markets.

Members of national associations represented by CAPIEL include small, medium and large-sized companies that in total directly employ more than 100,000 people in Europe. CAPIEL promotes and represents the common professional interests of its members in all areas of its competence. Essential association affairs are in the fields of standardization, legislation and common promotion.

The main products covered are:

- | | |
|---|------------------------|
| - Contactors | - Motor starters |
| - Circuit-breakers | - Panels |
| - Control devices (switches and sensors, ...) | - Cam switches |
| - Push buttons | - Switch disconnectors |
| - Fuses | - Time relays |

This guidance is focused on the relevant products of CLC/TC121A and CLC/SR121B.

3 Abbreviations

3.1 Abbreviations

BMWI Bundesministerium Wirtschaft, Germany

ECJ European Court of Justice

EMCD Electromagnetic Compatibility Directive

ESR Essential Safety Requirements

LVD Low Voltage Directive

NLF New Legislative Framework

OJE Official Journal of Europe

4 Rationales and Concept of “voluntary” listed standards

4.1 Rationales for a “voluntary” listing

Due to various rulings by the European Court of Justice [ECJ], harmonized standards whose references are published and cited under their respective regulations in the Official Journal of the EU [OJEU], are considered extensions of European law and must therefore be available free of charge after being listed in the L series of the OJEU. Subsequently, these orders from the ECJ have led to numerous challenges, some of which have not yet been satisfactorily resolved, resulting in considerable delays in the listing of standards. For example, it is still unclear how listed standards that have been harmonized at the European level (EN standards) using the Frankfurt and Vienna agreements (based on international IEC and ISO standards) and are therefore still subject to the license terms of these international standards organizations can be provided free of charge. As things stand today, most of the harmonized EN standards referenced in the OJEU are outdated and no longer reflect the current ‘state-of-the-art’. In the event of a liability claim, the sole application of these outdated standards can become a major problem for a manufacturer placing their goods on the European market.

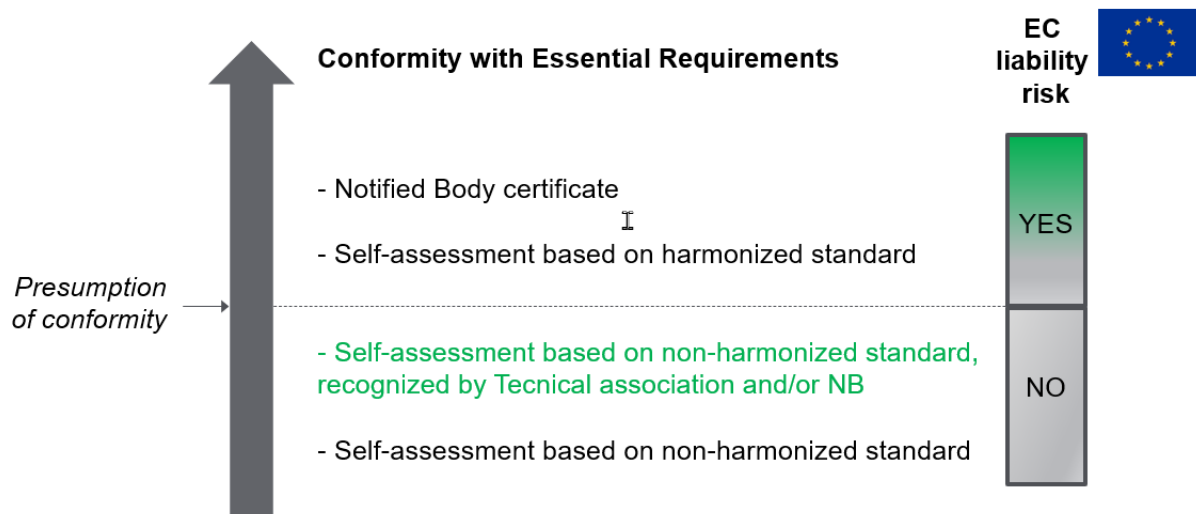
This is where the CAPIEL concept of a “voluntary” list of standards comes into play. The recommendation of CAPIEL for the voluntary listing of standards has the intention to restore the confidence of manufacturers, users, third-party bodies, authorities and market surveillance authorities by providing a common consensus on the current ‘state-of-the-art’. Based on this listing, a manufacturer of products can carry out a risk assessment related to the essential safety requirements of the corresponding European Directive using the ‘state-of-the-art’ standard. Third-party bodies may also adapt their assessment criteria utilizing this ‘state-of-the-art’.

4.2 Concept of the “voluntary” listing

Proof of conformity with the essential safety requirements of a NLF Directive (CAPIEL products, depending on their application and technology, may be impacted by several European Regulations including the Low Voltage Directive, Electro-Magnetic Compatibility Directive, Radio Equipment Directive, Cyber Resilience Act, etc.) can be achieved via various assessment levels from an EU's perspective. The type of assessment also always depends heavily on the protection objectives and the criticality for the typical application of a product, so that a higher-quality EU type examination is generally only mandatory for very safety-critical products or applications. Figure 1 shows the value of an assessment approval related to the presumption of conformity.

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Figure 1 Certificates of conformity with the ESR of a European NLF Regulation.



Regarding EMCD and LVD, it was previously common for manufacturers to carry out an assessment based on a listed harmonized standard for a product and to store this assessment in their technical documentation, which can then be reviewed on request by the market surveillance authority. However, the ECJ's James Elliott judgement brought about a significant change. Under liability law, the EU Commission bears joint liability for listed standards, as the listed standards in the OJEU form part of European law.

"The EU is not liable for damage resulting from errors in a harmonized standard itself. However, liability can be considered for decisions taken by the Commission under the Standardisation Regulation on standardisation requests, publication of references to harmonized standards in the Official Journal or formal objections. The EU's liability therefore only extends as far as the Commission's duty of scrutiny."

Source: Dingemann/Kottmann, legal opinion on behalf of the BMWi, Germany

There is currently no solution in sight as to how the dilemma can be resolved. The application of harmonized standards remains voluntary. This means that manufacturers can generally also rely on other standards or documents to demonstrate conformity with the requirements of a Regulation. However, without harmonized standards, there is no presumption of conformity. This can make it more complicated for manufacturers to provide evidence, which in turn can lead to delays and additional costs. There is also a lack of reliability, particularly in the case of standards that were previously harmonized but are no longer updated (and have therefore expired): if manufacturers refer to them, they often cannot be sure whether they still define the 'state-of-the-art'.

This is where the concept of a "voluntary listing" comes in (see: [green line](#) in Figure 1) and attempts to close the gap using the latest 'state-of-the-art' standards based on consensus within the relevant International standards development working group. Furthermore, this "voluntary listing" makes it possible to maintain the international licensing conditions of standards, as the listings are no longer part of European law.

5 Listing and De-listing processes

5.1 Listing criteria for a listing candidate

5.1.1 General requirement

Standards that are published in the standardization committees IEC TC121, IEC SC121A, IEC SC121B or CLC/TC121A and relate to essential requirements of the applicable European regulations can be included in the CAPIEL candidate list for a voluntary listing process.

A quality assessment of the respective candidate standard(s) shall be carried out by the International Technical Committee responsible for the publication of the standard(s) prior to the listing on the CAPIEL homepage.

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5.1.2 CAPIEL listing process for voluntary standards according to the LVD and EMC.

Figure 2 describes the process for listing CAPIEL candidates for an European Regulation.

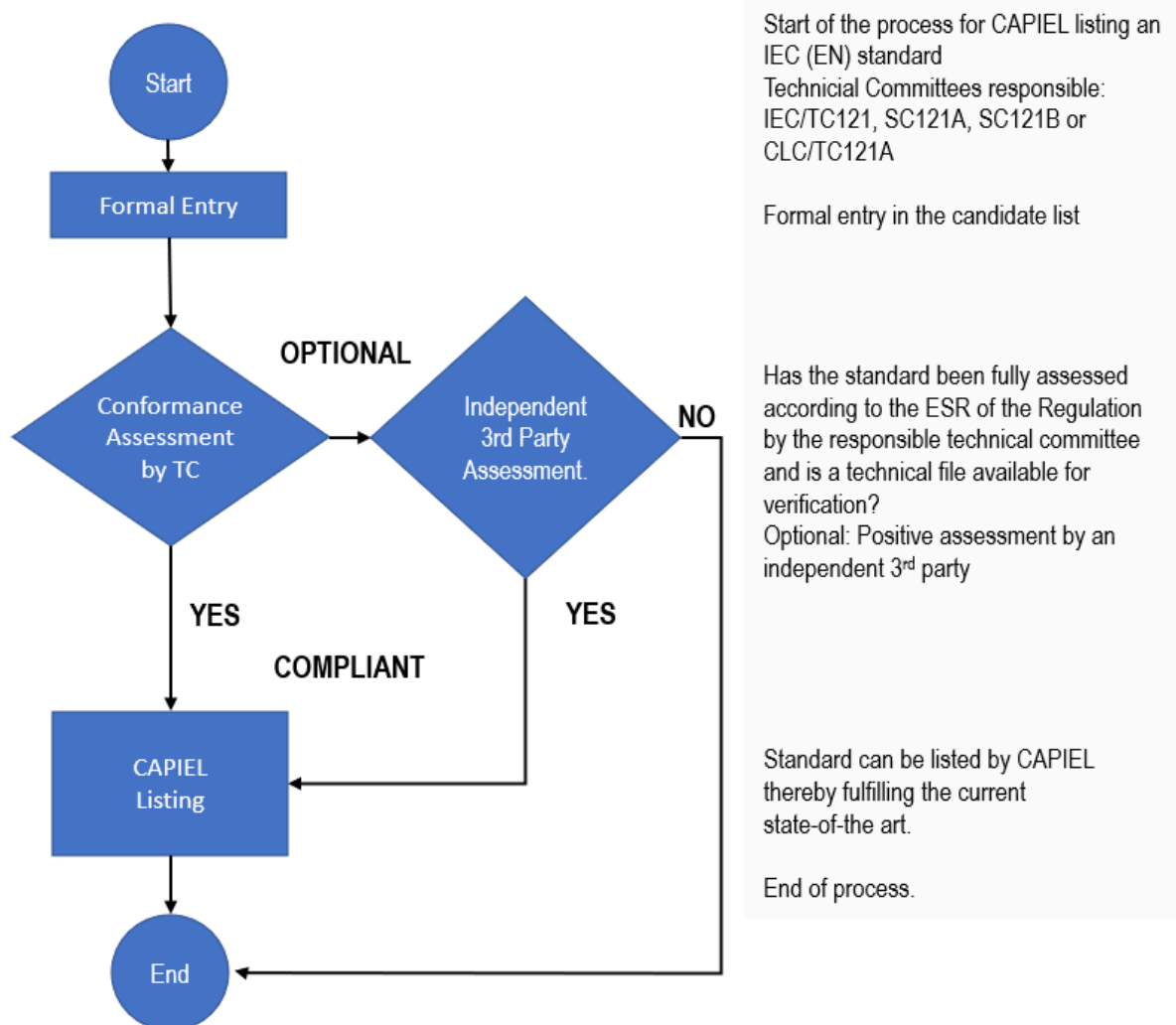
Process-No.: CAPIEL-001

Process-Owner: CAPIEL Steering Committee

Process-Name: Listing process EU

Process-Class: Qualification for listing candidates

Figure 2 Process for the publication of listed CAPIEL standards



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5.2 De-listing of a CAPIEL listed standard

Figure 5 describes the process for the de-listing of a previously listed standard.

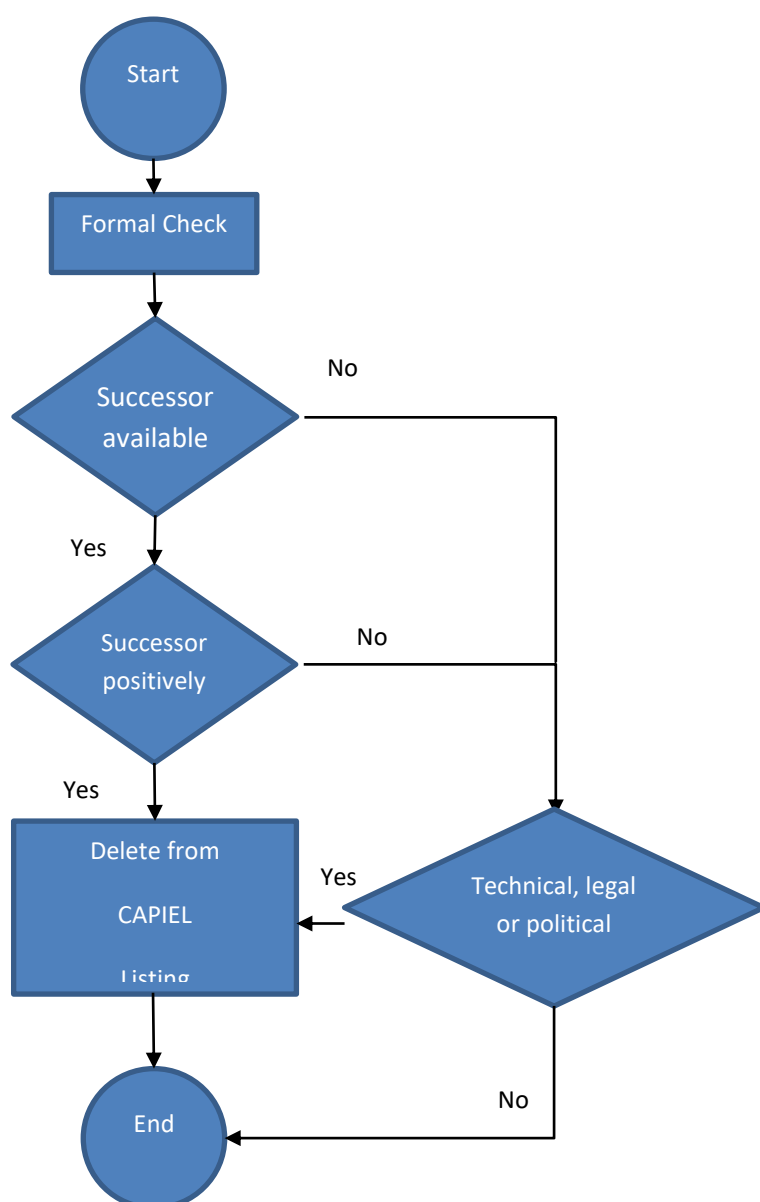
Process-No.: CAPIEL-003

Process-Owner: CAPIEL Steering Committee

Process-Name: De-Listing process

Process-Class: Qualification for de-listing candidates

Figure 3 Process for de-listing of CAPIEL standards



Start of process for the de-listing of an IEC (EN) standard in responsibility of IEC/TC121, SC121A, SC121B or CLC/TC121A

Formal check in the candidate list acc. revision, listing state...

Automatic de-listing will only be possible provided that a successor standard has been positively assessed and three years after the successor standard has been listed (allowing for a three-year transition period).

Reasons given why the standard candidate no longer fulfills the required state of the art? These shall be documented in the technical file.

Standard can be de-listed in the public available CAPIEL publication for standards.

End of process

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6 Maintenance Reporting and Responsibilities

The listing request can be initiated by the responsible IEC or CLC Committees.

The responsibility for the monitoring and correct maintenance on the CAPIEL listing pages shall be either the secretary of CLC/TC121A or a named CAPIEL member by decision of the CAPIEL plenary committee.

7 Example of listing

Table 1 shows an example of the future listing under CAPIEL ownership.

Table 1 Example of CAPIEL listing

Standard	Edition	Directive	Date of withdrawal	Comment
IEC 60947-1	7	LVD, EMCD		
...				

8 History of this document

Stage	Revision	Date	Remark
NP	0.1	2025-02-04	First rough draft for CAPIEL circulation
Update	0.2	2025-05-21	Pre-publication review
Update	4.0	2025-07-01	Post plenary review

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