



Ref.: EGEA WG1 Question regarding problems of expiry of ECE labels for lifts by 31.12.2009

Background of this expiry of ECE labels is the upcoming Machinery Directive 2006/42/EC. But the “challenges” according to “new” machinery directive have to be divided in two main consequences.

One part is affecting every “machine”, the other part is affecting only a small group of machines. The vehicle servicing lifts, as part of this “small group”, have an exceptional position in the workshop equipment branch.

Hereafter the consequences in both directions are described, starting with the part affecting all machines.

The difficulty is that around this matter are circulating a lot of different, even inconsistent, statements of the experts. Here we try to focus on the points which are based on a common understanding.

The Machinery Directive 2006/42/EC has to be applied for machinery placed on the market as from 29th December 2009.

That means the manufacturers and all parties bringing products to the market (e.g. representatives, importers) have to take into account that their processes have to be adapted to the changed regulation previously. Depending on individual order lead time. For example our company has several orders in the book yet with delivery date beginning of 2010. All of these orders have to be adapted to the new machinery directive in principle today.

In this new machinery directive a higher priority is given to improve the machine safety in advance during the R&D processes.

A] Most important: Manufacturer has to prevent any possible hazard mainly by appropriate design-engineering solutions.

B] Remaining hazards have to be prevented by adequate safety devices.

C] Still remaining hazards have to be described in the manuals.

The whole lifecycle has to be mapped in this risk analysis. E.g. transportation, installation, bringing into service, operation, maintenance, disassembling.

The manufacturer has to implement the process and internal documentation of his risk analysis. Describing which hazards have to be taken into account and which prevention by which methods described in A], B] and C] has been taken in consideration.

These rules are valid for all types of machines which are sold in the European Community with EC"-labeling.

Several manufacturers still neglect the demand that the manuals have to be in the language of the end users country. This is a demand for all EU countries and also defined in the Machinery Directive 98/37/EC yet. It is open whether the correct language versions are prepared by the manufacturer or national distributor/importer.

But unmistakable argumentation in the directive is that the manual is an essential part of the machine. Furthermore the correct language version is the foundation to “transport” the security advices against remaining risks to the user, as aforementioned in C].

The machinery directive is valid for the European Economic Area (27 EC states + Norway, Iceland, Liechtenstein), but also adoption in Switzerland and Turkey.

Depending on the type of machine there are different procedures foreseen for issuing the Declaration of Conformity. Two examples given below how to get the Declaration of Conformity for a machine (acc. Annex II, paragraph 1a):

Example A] Vehicle servicing lifts

Our type of machine is listed in Annex IV, as No. 16.

Annex IV is foreseen for machines with a comparable high potential of hazards.

E.g. saws, presses, machines for underground working etc.

1] Manufacturer must have: Technical file acc. Annex VII, paragraph A

2] In this case machine is acc. category “Vehicle servicing lifts” in Annex IV, No. 16

3] Exists a harmonised EN type-C standard? Yes EN 1493

4] Is this type C standard updated to comply with Directive 2006/42/EC?

Yes, our “old” EN 1493:1998 is updated as EN 1493:1998+A1:2008. Published in the Official Journal of the EC (C74/18), dated 28.03.2009.

Possible procedures for verification that product complies with this standard:

Possibility 1]

Verification of assessment of conformity with internal checks on the manufacture of machinery (acc. Annex VIII).

Possibility 2]

Verification of full quality assurance (acc. Annex X).

Remark about actual situation in Germany: We face an unbelievable absence of assuming responsibility by our state and notified bodies. There is nearly no notified body, who can offer any guidance for the methods which have to be implemented according to Annex X.

Four months upfront this deadline nearly no notified body is actually officially appointed and notified by our state for this quality assurance procedure.

Be aware that this “full quality assurance” is not similar to the ISO 9001 ff. standards.

This statement is clearly pointed out by officials.

Actual EEC type approval certificates will be invalidated with date of 29th December 2009. Actually there is no institutional announcement by the notified bodies how they will proceed the “modus operandi” to ensure issuing subsequent type approval certificates acc. “new” machinery directive.

Possibility 3]

EC type examination test (acc. Annex 9), in combination with verification of assessment of conformity with internal checks on the manufacture of machinery (acc. Annex VIII).

Example B] “Normal” machines (not listed in Annex IV)

1] Manufacturer must have: Technical file acc. Annex VII, paragraph A

Procedure for verification that product complies with machinery directive:

Verification of assessment of conformity with internal checks on the manufacture of machinery (acc. Annex VIII).

Summary:

Traditionally the usual procedure in the lift manufacturer branch was the EC type examination test (described possibility 3).

Actually our branch does not get binding answers by the notified bodies for adaption of existing type approval certificates according to “new” machinery directive.

Interesting alternative to the type approval procedure would be “derivation of full quality assurance” (described possibility 2 acc. Annex X).

Also for this way our branch does not get binding answers by the notified bodies.

For implementation of this alternative in the organisation of our companies it is in principle five past twelve.

You have to take into account that this “new” possibility with Annex X, has been officially published 2006 in the EC.

The notified bodies and EC member states had minimum two years time to implement and communicate the notification for this procedure.

Independent of my personal conclusion, please form your own opinion about the competence of involved parties.

A comprehensible reason for termination of existing type approval certificates is following. The EN-standards e.g. for safety of electric / electronic components and functional safety of machine controls changed significantly during the last years. The new machine directive also wants to push implementation of these improvements in the marketed machines.

In principle the EC-commission gave an adequate timeframe to the member states and notified bodies by a roughly three year period between announcement and enacting this directive.

Helpful guideline for this matter is the KAN publication No. 40 downloadable as pdf file in German, English and French via this link:

<http://www.kan.de/de/publikationen/kan-berichte.html>

KAN means commission for occupational health and safety and standards

This KAN publication No. 40 shows and comments clearly the modifications from Machinery Directive 98/37/EC to Machinery Directive 2006/42/EC.

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