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Enterprise and Industry Directorate-General

# Machinery Directive 98/37/EC

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# the Machinery Directive

Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery



## a consolidation of four Directives

- 89/392/EEC (original directive)
- 91/368/EEC (+ mobility and lifting)
- 93/44/EEC (+ lifting of persons)
- 93/68/EEC (CE marking)
  
- and amended by 98/79/EC



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# Aims of the Machinery Directive

- to ensure free circulation of machinery on the internal market
- to ensure a high level of protection of users and other exposed persons against the risks
- to ensure safety by design



## machinery

- an assembly of linked parts or components, at least one of which moves, joined together for a specific application, in particular for the processing, treatment, moving or packaging of a material
- interchangeable equipment
- safety components



- Production - € 402 billion (larger than USA & Japan together)
- Employment – 2.6 million engineers, technicians, skilled workers, etc.
- Exports - € 150 billion (larger than USA & Japan together)



## Main exclusions

- manually powered machinery (except for lifting)
- lifts and cableways
- means of transport on road, rail, air and sea
- electrical domestic and office machinery
- agricultural and forestry tractors



EHSRs are numerous and detailed

1. principles and general requirements
2. foodstuffs, hand-held, woodworking
3. mobility
4. lifting
5. underground
6. lifting persons





giving presumption of conformity

Programme target ~ 750 standards

## CEN

- 531 standards in OJEU

## CENELEC

- 44 standards in OJEU



# Types of machinery standards

## A-type standards

design principles and methods for  
all machinery

## B-type standards

aspects of safety or safety devices  
valid for a wide range of machinery

## C-type standards

safety of one category of machinery



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# Market Surveillance

## Member State competence

- Ensure that only safe products are placed on the market
- Cooperation between Member States and Commission



- Standards:
- introduced by EC or MS
  - opinion of 98/34/EC
  - decision by EC
- Products:
- introduced by MS
  - handled by EC services
  - opinion by EC



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# Conformity assessment procedures

## for most machinery

- manufacturer's EC declaration of conformity  
(equivalent of module A)



# Conformity assessment procedures

for certain types of machinery and safety components listed in annex IV

- EC type-examination by a notified body  
+ EC declaration of conformity  
(equivalent of module B + A)



if machinery listed in Annex IV is made  
to a harmonised standard

- choice of simplified procedures
  1. notified body checks technical file against standard
  2. notified body stores technical file



# Management of the directive

- Standing committee - commission and member states
- Machinery working group - interested parties are present as observers
- Machinery market surveillance ADCO
- European coordination of notified bodies





Improving areas that caused difficulties in application of Directive and enlarging scope

- COM 2000(899) proposal - 1/2001
- Parliament first reading - 7/2002
- COM 2003(48) amended proposal - 2/2003
- Council common position – 7/2005
- Parliament second reading - 7/2002
- Adoption – Spring 2006



# Application of revised Machinery Directive

- Application 3 ½ years after adoption
- Check conformity of standards
- Limited practical impact on manufacturers:
  - Check conformity of product and adapt Declaration of Conformity



## Clarification of the scope (legal certainty)

- Clearer borderlines:
  - ✓ Lifts Directive
  - ✓ LVD (e.g. washing machines)
- Indicative list of safety components



## Completion of internal market (new products)

- Construction site hoists
- Cartridge operated fixing devices



## Simplification of conformity assessment procedures

- Self-certification for annex IV Machinery when applying standards
- Full quality assurance optional for all manufacturers



## Application & Enforcement improvements

- Market Surveillance procedures
- Notified bodies provisions
- Administrative cooperation



## Impact on essential requirements

- More general requirements (relying on standards)
- Improved terminology (as standards)
- Developed requirements (e.g. ergonomics, instructions)
- New requirements (for new products)
- Unchanged structure of Annex I



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## Machinery website

[http://europa.eu.int/comm/enterprise/mechan\\_equipment/machinery/index.htm](http://europa.eu.int/comm/enterprise/mechan_equipment/machinery/index.htm)

- Legislation and comments
- Revision
- Standardisation
- National transposition and contact points
- Notified bodies
- ...