

Workshop : The new Machinery Directive : Consolidating the Internal Market for Machinery

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Theme 3 - Standards for the new Machinery Directive

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Mr. Chairman, Ladies and Gentlemen,

I'm very pleased to address you here today on behalf of ANEC, the European Consumer Voice in standardization. I would like to thank the Commission for giving ANEC the opportunity to speak here today.

I will first give you some details on who we are and what we do, and afterwards I will raise a couple of points concerning standards for the new Machinery Directive.

ANEC was set up in 1995 as European consumer organisation to represent and protect the consumer interest in standardization and certification and to influence legislation related to standardization.

Consumer protection in the first instance means safety. Products have to be fit for use – no matter where the consumer is living. That is why consumer product safety has been one of ANEC's main priorities since its setting up. Performance, quality, accessibility and environmental aspects of products and services are also part of ANEC's scope.

Our objectives are to

- Ensure a high level of protection
- Counterbalance the industry view
- Promote new concepts such as accessibility, Design for All
- Ensure public interest representation

We are a member of all three European standards bodies and our representatives directly participate in more than 70 technical and political bodies in European and international standardisation.

In addition, ANEC participates in several Commission Working Groups, e.g. in the Committee under the GPSD, the Low Voltage Directive Working Party, the Expert Group on Toy Safety, the PPE Working Group and the Machinery Working Group.

In the machinery sector, ANEC is directly involved in the following standardisation committees:

- the CEN Advisory Nucleus on Machine safety
- CEN TC 114, Safety of machinery
- CEN TC 114 joint WG 6, Safety related parts of control systems
- CEN TC 144 WG7 Garden equipment
- CENELEC TC 61 Safety of household appliances
- CENELEC TC 61F Hand-held tools

Furthermore we follow the work of CEN/TC 152 "Fairground equipment" by correspondence.

I was invited to speak on the impact of the revised Directive for harmonized standards.

Standards are hugely important for consumers. They have an impact on almost every product and service that consumers come into contact with. Most standards are invisible for consumers, but they affect us every day and everywhere. Consumers assume that the products they buy are safe and most consumers take for granted that washing instructions are consistent between the different garments they buy and that electric plugs are a good fit into the corresponding sockets, and so on. All of these convenient features are underpinned by Standards.

New Standards are constantly being developed and established, while existing standards are frequently amended. It is ANEC's role to ensure a high level of protection by participating in the standardisation process.

The review and amendment of over 600 harmonized standards following the changes in the new Machinery Directive is not only a challenge for CEN and CENELEC, but also for ANEC: the machinery field is a huge field and it is not easy for ANEC to judge where we should be actively involved. Consumer organisations don't have a clear overview of the machinery sector. Priority setting is crucial for an organization like ANEC that disposes of limited resources. We would prefer the Commission, CEN and CENELEC to actively approach ANEC if they think we should be involved somewhere.

I would also like to say a few words on the consequences of the New Machinery Directive on the activity of CENELEC TC 61 dealing with the safety of electrical appliances, and on the EN 60335 series of standards. In the future, only household

appliances for domestic use will fall under the LVD. As a consequence, a number of standards drawn up by CENELEC TC 61 have to be re-evaluated. We think that in general, the EN 60335 series of standards work very well, but as Mr. Gargantini, Chairman of CENELEC TC 61 already mentioned this morning, there could be confusion on the interpretation of the borderline between the MD and the LVD, because appliances intended for professional use could also be used by consumers, e.g. at the office, in canteens, etc. And what about washing machines in laundrettes, the so-called shops where consumers can do their laundry?

We welcome the mandate from the Commission to the standards bodies to work on these issues and appreciate that the mandate specifically mentions the need for co-operation between CEN and CENELEC in this exercise. This cooperation is in our opinion vital and we regret that this wasn't the case in the past. There are several examples of different standards produced by CEN and CENELEC for similar types of products under the MD and the LVD, for instance for kitchen machines or food processors. The MD requires that the lids of such machines be interlocked so that when the lid is removed the machine stops. This is not applied by CENELEC standards.

ANEC asks the standards bodies, when reviewing the standards, to take health and safety issues seriously with a complete rethink if necessary.

Another implication for the standards could and should in our opinion be the newly adopted CENELEC Guide 29 "Temperatures of surfaces likely to be touched – Part 1: Temperatures of hot surfaces". CENELEC Guide 29 will be distributed to all technical committees asking them to duly assess (and to revise where needed) the relevant standards under the LVD in respect of ensuring compliance with the provisions of CENELEC Guide 29. This guide was set up following a mandate under the Low Voltage Directive, but could in our opinion be a useful tool during the review and amendment of the harmonised standards under the new Machinery Directive.

As I already mentioned, one of our objectives is to promote Design for All.

ANEC calls on standards committees to encourage the development of standards, which address the needs of older and disabled consumers through the systematic use of CEN/CENELEC Guide 6. Guide 6 provides general guidelines, which aim to raise the awareness of standards developers to the wide range of abilities of the end users of manufactured products and services. The majority of disabled people have the lower levels of disability, such as visual impairments. Inclusive design leads to increased and prolonged independence for older people and people with disabilities if mainstream products and services continue to meet their needs.

One example is the legibility of marks on garden machinery. The attached photograph shows that the legibility of embossed markings can be very poor and this case is not acceptable. Embossed markings should make use of contrasting colors.

We ask for design for all aspects to be taken into account during the review and amendment of the standards following the changes in the new Machinery Directive.

Another concern of ANEC in the machinery field is the migration of professional machinery into consumer hands. I already touched upon this when talking about the so-called overlap between the Low Voltage Directive and the Machinery Directive. Reasonable foreseeable use needs to be taken into account in standards, not only intended use.

We all know that the best legislation and standards can only be effective when properly enforced. Effective market surveillance and information are therefore crucial factors for consumer protection. In this respect, we expect that:

- Consumer protection becomes the guiding principle in market surveillance;
- Not only resources are given to review these hundreds of standards, but that more resources are allocated to market surveillance;

To conclude, I would like to mention that for consumers, it doesn't matter under which Directive a product falls, it should always be safe. Consumers expect that the products they buy are safe for use, and we should not lose sight of that.

Thank you for your attention !