



EUROPEAN COMMISSION
 ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Sustainable Growth and EU 2020
Standards for Boosting Competitiveness

Brussels, 27 March 2014

A Notification under Article 12 of Regulation (EU) No 1025/2012¹

Subject matter related to

<input type="checkbox"/>	Annual Union Work Programme for European standardisation (Art. 12, point a)
<input type="checkbox"/>	Possible future standardisation requests to European standardisation organisations (Art. 12, point b)
<input checked="" type="checkbox"/>	Formal objections to harmonised standards (Art. 10 of Directive 2006/42/EC)
<input type="checkbox"/>	Identifications of ICT technical specifications (Art. 12, point d)
<input type="checkbox"/>	Delegated acts to modify Annexes I or III of Regulation (EU) No 1025/2012 (Art. 12, point e)

Title of the initiative

Formal Objection against EN 474-1:2006+A3:2013 Earth-moving machinery - Safety - Part 1: General requirements

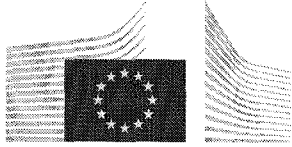
Additional information

Legislative reference(s)	Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC
EN reference(s)	EN 474-1:2006+A3:2013
Status	
Other information	This is a formal objection launched by the Commission on 20 March 2014 against EN 474-1:2006+A3:2013 the references of which have been published in the Official Journal of the European Union.

Commission contact point for this notification

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¹ OJ L 316, 14.11.2012, p. 12



EUROPEAN COMMISSION
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Resources Based, Manufacturing and Consumer Goods Industries
Director

20 MARS 2014

Brussels,
ENTR F5/FS/nb/ entr.f.5(2014) 522902

NOTE TO THE ATTENTION OF MR CARLO PETTINELLI, DIRECTOR ENTR B

Subject: Formal objection against the harmonised European standard EN 474-1 "Earth-moving machinery - Safety - Part 1: General requirements"

My services consider that the abovementioned harmonised European standard does not entirely satisfy the essential health and safety requirements of Machinery Directive 2006/42/EC. For this reason, we would like to raise a formal objection against EN 474-1 in accordance with Article 10 of Directive 2006/42/EC¹.

I would be grateful if your services could bring this matter before the Committee on Standards established by Article 22 of Regulation (EU) No 1025/2012 on European standardization.

As foreseen by Chapter 6 of Part II of the Vademecum on European Standardisation, this consultation is preceded by a consultation of the respective sector committee, in this case the Machinery Working Group of the committee set up by Article 22 of Directive 2006/42/EC. The opinion of the Machinery Working Group will be forwarded at the beginning of April to Unit B5.

The justification for the formal objection is set out in the Annex I to this note.

Gwenole Cozigou
e-signed

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ANNEX I

Justification for the formal objection

Two petitions have been addressed to the European Parliament referring to fatal occupational accidents that have occurred in Germany involving earth-moving machinery, claiming the accidents to be related to the insufficient visibility from the driving position.

This issue was followed up by the European Commission in cooperation with the Member States during several meetings of the Machinery Working Group and during discussions at a meeting of a task force on earth-moving machinery set up by the Machinery Administrative Co-operation (ADCO) Group.

There has been general agreement that the visibility issue needs to be improved in the Standard 474-1, by using effective vision aids including camera-monitoring systems and similar person identification systems.

In March 2013 the Commission sent a letter to the European Standardisation Committee (CEN) informing them about an examination of the quality of harmonised standards series EN 471, in particular in the field of visibility on earth moving machinery. The Commission requested CEN to revise these standards in order to ensure that they reflect the state of the art.

CEN replied in April and has sent a supplementary reply in October 2013. According to CEN the relevant standards reflect the state of the art. However, CEN pointed out that revision of EN 474 series (harmonised under Machinery Directive 2006/42/EC) and ISO 5006 was already started in 2010. It was decided to launch a new work item for the revision of EN 474 series latest by March 2014. Keeping in mind the average time needed for a revision, a publication of a revised standard is expected at the earliest in 2018. In October 2012 it was decided to revise ISO 5006 under the Vienna agreement resulting in a European/International standard that can be harmonised under the European Machinery Directive. However, until now the work on the revision has not been official started. There is no indication whether a revision of ISO 5006 will be finalised by 2018.

My services recognise the development within CEN. However, we see need for increasing the speed of that process, in light of unacceptable number of fatal and serious accidents linked to inadequate visibility. As long as the standard confers presumption of conformity with the essential health and safety requirements of the Machinery Directive 2006/42/EC there will be earth moving machinery placed on the European market that does not provide sufficient visibility for the driver in order to operate the machinery without risk for the driver or third persons.

As a consequence, the Commission raises a formal objection against EN 474-1, as provided by Art.10 of Machinery Directive 2006/42/EC.