

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2021/1813

of 14 October 2021

amending Implementing Decision (EU) 2019/436 as regards harmonised standards for aircraft ground support equipment, cranes, mining tools, and other machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council and repealing Commission Implementing Decision (EU) 2015/27

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(6) thereof,

Having regard to Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC ⁽²⁾, and in particular Article 7(3) and Article 10 thereof,

Whereas:

- (1) In accordance with Article 7 of Directive 2006/42/EC machinery manufactured in conformity with a harmonised standard, the reference to which has been published in the *Official Journal of the European Union*, is to be presumed to comply with the essential health and safety requirements covered by such a harmonised standard.
- (2) By letter M/396 of 19 December 2006, the Commission made a request to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec) ('the request') for the drafting, the revision and the completion of the work on harmonised standards in support of Directive 2006/42/EC to take account of changes introduced by that Directive in comparison with Directive 98/37/EC of the European Parliament and of the Council ⁽³⁾.
- (3) On the basis of the request, CEN drafted new harmonised standards EN 1459-5:2020 on safety requirements for attachment interfaces for variable reach trucks, as well as EN 16808:2020 on safety requirements for manual elevators in the petroleum, petrochemical and natural gas industries.
- (4) On the basis of the request, CEN and Cenelec revised existing harmonised standards, the references of which are published in the C series of the *Official Journal of the European Union* by Commission Communication 2018/C092/01 ⁽⁴⁾ to adapt them to technological progress. This resulted in the adoption of the following new harmonised standards: EN 12312-7:2020 with specific requirements for aircraft ground support equipment; EN 13586:2020 on access requirements to cranes; EN 15011:2020 on bridge and gantry cranes; EN 15571:2020 on safety requirements for surface finishing machines for natural stone; EN 16564:2020 on requirements for bridge type sawing/milling machines including numerical control; EN 1804-1:2020 on support units and general

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ OJ L 157, 9.6.2006, p. 24.

⁽³⁾ 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 (OJ L 207, 23.7.1998, p. 1).

⁽⁴⁾ Commission communication in the framework of the implementation of the Directive 2006/42/EC of the European Parliament and of the Council on machinery, and amending Directive 95/16/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 92, 9.3.2018, p. 1).

requirements for hydraulic powered roof supports; EN 1804-2:2020 on power set legs and rams for hydraulic powered roof supports; EN 1804-3:2020 on hydraulic and electro hydraulic control systems for hydraulic powered roof supports; EN 1837:2020 on integral lightning of machines; EN 1974:2020 on safety and hygiene requirements for food processing machinery; EN 81-40:2020 on stairlifts and inclined lifting platforms intended for persons with impaired mobility; EN 1175:2020 on electrical and electronic requirements for industrial trucks; EN 12312-3:2017+A1:2020 on conveyor belt vehicles; EN ISO 16092-2:2020 on safety requirements for mechanical presses; EN ISO 16092-4:2020 on safety requirements for pneumatic presses; EN 16307-1:2020 with supplementary requirements for self-propelled industrial trucks, other than driverless trucks, variable-reach trucks and burden-carrier trucks; EN 16808:2020 on manual elevators; EN ISO 19085-10:2019/A11:2020 on building site saws; EN ISO 20430:2020 on injection moulding machines; EN IEC 62841-2-6:2020/A11:2020 on particular requirements for hand-held hammers with an amendment in EN IEC 62841-2-6:2020/A11:2020; as well as EN ISO 11553-1:2020 on laser safety requirements with an amendment in EN ISO 11553-1:2020/A11:2020.

- (5) In addition, on the basis of the request, CEN and Cenelec revised EN 12999:2011+A2:2018, the reference of which is included in Annex I to Commission Implementing Decision (EU) 2019/436 ⁽⁵⁾, to EN 12999:2020 on loader cranes in order to adapt it to technological progress.
- (6) CEN and Cenelec also amended EN 16851:2017 on light crane systems and EN 16486:2014 on compactors, the references of which have been published by Communication 2018/C092/01, respectively to EN 16851:2017+A1:2020 on light crane systems and 16486:2014+A1:2020 on compactors.
- (7) The Commission together with CEN and Cenelec has assessed whether the standards drafted, revised and amended by CEN and Cenelec comply with the request.
- (8) The harmonised standards drafted, revised and amended by CEN and Cenelec on the basis of the request satisfy the safety requirements which they aim to cover and which are set out in Directive 2006/42/EC. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*, together with references of any relevant amending or correcting standards thereto.
- (9) The reference of standard EN 474-1:2006+A4:2013 was published in the *Official Journal of the European Union* with a restriction by Commission Implementing Decision (EU) 2015/27 ⁽⁶⁾ that excluded the presumption of conformity provided by the standard in relationship to the essential health and safety requirements 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC.
- (10) Standard EN 474-1:2006+A4:2013 is withdrawn as of 19 September 2020, as provided for in Implementing Decision (EU) 2019/436. It is therefore appropriate to repeal Implementing Decision (EU) 2015/27.
- (11) CEN improved the standard in the version EN 474-1:2006+A5:2018. However, the new version failed to address the visibility concerns caused by the interplay of EN 474-1:2006+A5:2018 with part 5 of EN 474 series that cover specific requirements for hydraulic excavators. Therefore, standard EN 474-1:2006+A5:2018 did not fully meet the essential health and safety requirements set out in points 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC. The harmonised standard was published with a new restriction in relation to its application with EN 474-5:2006+A3:2013 requirements for hydraulic excavators in the *Official Journal of the European Union* by Implementing Decision (EU) 2019/436.
- (12) CEN continued to improve EN 474-1 and presented an amended version of the harmonised standard EN 474-1:2006+A6:2019. The Commission together with CEN and Cenelec has assessed whether the standards EN 474-1:2006+A6:2019 meet the essential health and safety requirements set out in points 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC and concluded that the restriction in relation to the visibility concerns of the standard could be lifted.

⁽⁵⁾ Commission Implementing Decision (EU) 2019/436 of 18 March 2019 on the harmonised standards for machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council (OJ L 75, 19.3.2019, p. 108).

⁽⁶⁾ Commission Implementing Decision (EU) 2015/27 of 7 January 2015 on the publication with a restriction in the *Official Journal of the European Union* of the reference of standard EN 474-1:2006+A4:2013 on Earth-moving machinery under Directive 2006/42/EC of the European Parliament and of the Council (OJ L 4, 8.1.2015, p. 24).

- (13) However, while examining standard EN 474-1 new concerns were raised by the representatives of the committee established by Article 22 of Directive 2006/42/EC, regarding the quick coupling mechanism foreseen in annex B.2 of the standard that allows for the attachment of different tools to earth-moving machines. In particular, a high number of serious injuries and fatalities were recorded by the Member States due to the incorrect locking of tools and the absence of an active warning system or active monitoring system for the operator when engaging the machine with incorrectly attached tools such as backhoe buckets, grabs, vibratory plates. The number of accidents are particularly pronounced for certain machines such as excavators that change regularly different powered tools on a daily basis.
- (14) Having examined EN 474-1:2006+A6:2019, the Commission concluded that the standard fails to meet the essential healthy and safety requirement set out in points 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC, namely the requirement of safety integration and that the driver can operate the machinery and its tools in their foreseeable conditions of use, in complete safety for the driver and the exposed persons. EN 474-1:2006+A6:2019 should therefore be published in the *Official Journal of the European Union* with restriction when applied in combination with parts EN 474-4:2006+A2:2012 requirements for backhoe loaders and EN 474-5:2006+A3:2013 requirements for hydraulic excavators.
- (15) Harmonised standard EN 62841-4-1:2020 on particular requirements for hand-held chain saws introduced significant changes to the specifications set out in harmonised standard EN 60745-2-13:2009. Hand-held chain saws, covered by EN 62841-4-1:2020 and EN 60745-2-13:2009, are a machinery listed in Annex IV to Directive 2006/42/EC that need to follow a stricter certification procedure involving a notified body in the absence of a harmonised standard covering all of the relevant essential health and safety requirements. Considering that the design of chain saws covered by harmonised standard EN 62841-4-1:2020 needs to be significantly modified and that harmonised standard EN 60745-2-13:2009 ceases to provide a presumption of conformity after 3 September 2022, a number of manufacturers may not be in a position to meet that deadline. It is therefore appropriate to exceptionally postpone the date of withdrawal of harmonised standard EN 60745-2-13:2009 for an additional 8 months. The entry concerning the harmonised standard EN 60745-2-13:2019 in Annex III to Implementing Decision (EU) 2019/436 should therefore be amended accordingly.
- (16) Reference of harmonised standard EN ISO 3743-2:2019 on methods for special reverberation test rooms was included in Annex I to Implementing Decision (EU) 2019/436 by Commission Implementing Decision 2021/377⁽⁷⁾. However, the previous version of that standard, EN ISO 3743-2:2009 was published by Communication 2018/C092/01, and has not been withdrawn. Considering that standard EN ISO 3743-2:2009 no longer represents the state of the art, it is appropriate to withdraw the reference of that standard from the *Official Journal of European Union*. In order to give manufacturers sufficient time to prepare for applying standard EN ISO 3743-2:2019, it is necessary to defer the withdrawal of EN ISO 3743-2:2009.
- (17) Implementing Decision (EU) 2019/436 provides in Annex I the references of harmonised standards conferring a presumption of conformity with Directive 2006/42/EC and provides in Annex II the references of harmonised standards conferring a presumption of conformity with restrictions. In order to ensure that the references of harmonised standards drafted in support of Directive 2006/42/EC are listed in one act, the references of the standards that are replaced, revised or amended by CEN and Cenelec should be included in Implementing Decision (EU) 2019/436.
- (18) Annex III to Implementing Decision (EU) 2019/436 lists the references of harmonised standards in support of Directive 2006/42/EC that are withdrawn from the C series of the *Official Journal of the European Union* as from the dates set out in that Annex.
- (19) As the result of the work by CEN and Cenelec on the basis of the Request, the following harmonised standards published in the C series of the *Official Journal of the European Union* have been replaced, revised or amended: EN 12312-7:2005+A1:2009; EN 13155:2003+A2:2009; EN 13586:2004+A1:2008; EN 15011:2011+A1:2014; EN 15571:2014; EN 15746-2:2010+A1:2011; EN 1804-1:2001+A1:2010; EN 1804-2:2001+A1:2010; EN 1804-3:2006+A1:2010; EN 1837:1999+A1:2009; EN 1974:1998+A1:2009; EN 60745-2-6:2010; EN IEC 62841-2-6:2020; EN ISO 11553-1:2008; EN ISO 11553-1:2020; EN 1175-1:1998+A1:2010; EN 1175-2:1998

⁽⁷⁾ Commission Implementing Decision (EU) 2021/377 of 2 March 2021 amending Implementing Decision (EU) 2019/436 on harmonised standards for machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council (OJ L 72, 3.3.2021, p. 12).

+A1:2010; EN 1175-3:1998+A1:2010; EN 12312-3:2017; EN 13411-1:2002+A1:2008; EN 13411-2:2001+A1:2008; EN 13411-3:2004+A1:2008; EN 13411-4:2011; EN 13411-5:2003+A1:2008; EN 13411-6:2004+A1:2008; EN 13411-7:2006+A1:2008; EN 13411-8:2011; EN 16307-1:2013+A1:2015; EN 16486:2014; EN 201:2009; and EN 81-40:2008. It is therefore necessary to withdraw the references of those standards from the *Official Journal of the European Union* by including those references in Annex III to Implementing Decision (EU) 2019/436.

- (20) It is also necessary to withdraw the reference of harmonised standard EN 12999:2011+A2:2018 published by Implementing Decision (EU) 2019/436, given that the standard has been revised. It is therefore appropriate to delete the reference from Annex I to that Implementing Decision.
- (21) In order to give manufacturers sufficient time to prepare for application of the new, revised or amended standards, it is necessary to defer the withdrawal of the references of harmonised standards EN 12999:2011+A2:2018, EN 1175-1:1998+A1:2010, EN 1175-2:1998+A1:2010, EN 1175-3:1998+A1:2010, EN 12312-3:2017, EN 12312-7:2005+A1:2009, EN 13411-1:2002+A1:2008, EN 13411-2:2001+A1:2008, EN 13411-3:2004+A1:2008, EN 13411-4:2011, EN 13411-5:2003+A1:2008, EN 13411-6:2004+A1:2008, EN 13411-7:2006+A1:2008, EN 13411-8:2011, EN 13586:2004+A1:2008, EN 15011:2011+A1:2014, EN 16307-1:2013+A1:2015, EN 16486:2014, EN 16851:2017, EN 1804-1:2001+A1:2010, EN 1804-2:2001+A1:2010, EN 1804-3:2006+A1:2010, EN 1837:1999+A1:2009, EN 1974:1998+A1:2009, EN 201:2009, EN 60745-2-6:2010, EN 81-40:2008, EN ISO 11553-1:2008, and EN ISO 3743-2:2009.
- (22) Implementing Decision (EU) 2019/436 should therefore be amended accordingly.
- (23) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2019/436 is amended as follows:

- (1) Annex I is amended in accordance with Annex I to this Decision;
- (2) Annex II is amended in accordance with Annex II to this Decision;
- (3) Annex III is amended in accordance with Annex III to this Decision.

Article 2

Implementing Decision (EU) 2015/27 is repealed.

Article 3

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Point (1) of Annex I shall apply from 15 April 2023.

Done at Brussels, 14 October 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I is amended as follows:

(1) row 10 is deleted;

(2) the following row 10a is inserted:

'10a.	EN 12999:2020 Cranes - Loader cranes	C';
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(3) the following rows are added:

'95.	EN 1837:2020 Safety of machinery - Integral lighting of machines	B
96.	EN ISO 11553-1:2020 Safety of machinery - Laser processing machines - Part 1: Laser safety requirements (ISO 11553-1:2020) EN ISO 11553-1:2020/A11:2020	B
97.	EN 81-40:2020 Safety rules for the construction and installation of lifts - Special lifts for the transport of persons and goods - Part 40: Stairlifts and inclined lifting platforms intended for persons with impaired mobility	C
98.	EN 1175:2020 Safety of industrial trucks - Electrical/electronic requirements	C
99.	EN 1459-5:2020 Rough-terrain trucks - Safety requirements and verification - Part 5: Attachment interface	C
100.	EN 1804-1:2020 Machines for underground mines - Safety requirements for hydraulic powered roof supports - Part 1: Support units and general requirements	C
101.	EN 1804-2:2020 Machines for underground mines - Safety requirements for hydraulic powered roof supports - Part 2: Power set legs and rams	C
102.	EN 1804-3:2020 Machines for underground mines - Safety requirements for hydraulic powered roof supports - Part 3: Hydraulic and electro hydraulic control systems	C
103.	EN 1974:2020 Food processing machinery - Slicing machines - Safety and hygiene requirements	C
104.	EN 12312-3:2017+A1:2020 Aircraft ground support equipment - Specific requirements - Part 3: Conveyor belt vehicles	C
105.	EN 12312-7:2020 Aircraft ground support equipment - Specific requirements - Part 7: Aircraft movement equipment	C

106.	EN 13586:2020 Cranes - Access	C
107.	EN 15011:2020 Cranes - Bridge and gantry cranes	C
108.	EN 15571:2020 Machines and plants for mining and tooling of natural stone - Safety - Requirements for surface-finishing machines	C
109.	EN ISO 16092-2:2020 Machine tools safety - Presses - Part 2: Safety requirement for mechanical presses (ISO 16092-2:2019)	C
110.	EN ISO 16092-4:2020 Machine tools safety - Presses - Part 4: Safety requirements for pneumatic presses (ISO 16092-4:2019)	C
111.	EN 16307-1:2020 Industrial trucks - Safety requirements and verification - Part 1: Supplementary requirements for self-propelled industrial trucks, other than driverless trucks, variable-reach trucks and burden-carrier trucks	C
112.	EN 16486:2014+A1:2020 Machines for compacting waste materials or recyclable fractions - Compactors - Safety requirements	C
113.	EN 16564:2020 Machines and plants for mining and tooling of natural stone - Safety - Requirements for bridge type sawing/milling machines, included numerical control (NC/CNC) versions	C
114.	EN 16808:2020 Petroleum, petrochemical and natural gas industries - Safety of machineries - Manual elevators	C
115.	EN 16851:2017+A1:2020 Cranes - Light crane systems	C
116.	EN ISO 19085-10:2019 Woodworking machines - Safety - Part 10: Building site saws (contractor saws) (ISO 19085-10:2018) EN ISO 19085-10:2019/A11:2020	C
117.	EN ISO 20430:2020 Plastics and rubber machines - Injection moulding machines - Safety requirements (ISO 20430:2020)	C
118.	EN IEC 62841-2-6:2020 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery - Safety - Part 2-6: Particular requirements for hand-held hammers (IEC 62841-2-6:2020, Modified) EN IEC 62841-2-6:2020/A11:2020	C'

ANNEX II

In Annex II row 1 is replaced by the following:

'1.	EN 474-1:2006+A6:2019 Earth-moving machinery — Safety — Part 1: General requirements Notice: With regards to Annex B.2 – Quick couplers, the harmonised standard EN 474-1:2006 +A6:2019 does not confer a presumption of conformity to the essential health and safety requirements 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC when applied in combination with EN 474-4:2006+A2:2012 requirements for backhoe loaders and EN 474-5:2006+A3:2013 requirements for hydraulic excavators.	C'
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ANNEX III

Annex III is amended as follows:

(1) row 73 is replaced by the following:

'73.	EN 60745-2-13:2009 Hand-held motor-operated electric tools - Safety - Part 2-13: Particular requirements for chain saws (IEC 60745-2-13:2006, Modified) EN 60745-2-13:2009/A1:2010	3 May 2023	C
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(2) the following rows are added:

'86.	EN 1175-1:1998+A1:2010 Safety of industrial trucks - Electrical requirements - Part 1: General requirements for battery powered trucks	15 April 2023	C
87.	EN 1175-2:1998+A1:2010 Safety of industrial trucks - Electrical requirements - Part 2: General requirements of internal combustion engine powered trucks	15 April 2023	C
88.	EN 1175-3:1998+A1:2010 Safety of industrial trucks - Electrical requirements - Part 3: Specific requirements for the electric power transmission systems of internal combustion engine powered trucks	15 April 2023	C
89.	EN 12312-3:2017 Aircraft ground support equipment - Specific requirements - Part 3: Conveyor belt vehicles	15 April 2023	C
90.	EN 12312-7:2005+A1:2009 Aircraft ground support equipment - Specific requirements - Part 7: Air-craft movement equipment	15 April 2023	C
91.	EN 13411-1:2002+A1:2008 Terminations for steel wire ropes - Safety - Part 1: Thimbles for steel wire rope slings	15 April 2023	C
92.	EN 13411-2:2001+A1:2008 Terminations for steel wire ropes - Safety - Part 2: Splicing of eyes for wire rope slings	15 April 2023	C
93.	EN 13411-3:2004+A1:2008 Terminations for steel wire ropes - Safety - Part 3: Ferrules and ferrule-securing	15 April 2023	C
94.	EN 13411-4:2011 Terminations for steel wire ropes - Safety - Part 4: Metal and resin socketing	15 April 2023	C
95.	EN 13411-5:2003+A1:2008 Terminations for steel wire ropes - Safety - Part 5: U-bolt wire rope grips	15 April 2023	C

96.	EN 13411-6:2004+A1:2008 Terminations for steel wire ropes - Safety - Part 6: Asymmetric wedge socket	15 April 2023	C
97.	EN 13411-7:2006+A1:2008 Terminations for steel wire ropes - Safety - Part 7: Symmetric wedge socket	15 April 2023	C
98.	EN 13411-8:2011 Terminations for steel wire ropes - Safety - Part 8: Swage terminals and swaging	15 April 2023	C
99.	EN 13586:2004+A1:2008 Cranes - Access	15 April 2023	C
100.	EN 15011:2011+A1:2014 Cranes - Bridge and gantry cranes	15 April 2023	C
101.	EN 16307-1:2013+A1:2015 Industrial trucks - Safety requirements and verification - Part 1: Supplementary requirements for self-propelled industrial trucks, other than driverless trucks, variable-reach trucks and burden-carrier trucks	15 April 2023	C
102.	EN 16486:2014 Machines for compacting waste materials or recyclable fractions - Compactors - Safety requirements	15 April 2023	C
103.	EN 16851:2017 Cranes - Light crane systems	15 April 2023	C
104.	EN 1804-1:2001+A1:2010 Machines for underground mines - Safety requirements for hydraulic powered roof supports - Part 1: Support units and general requirements	15 April 2023	C
105.	EN 1804-2:2001+A1:2010 Machines for underground mines - Safety requirements for hydraulic powered roof supports - Part 2: Power set legs and rams	15 April 2023	C
106.	EN 1804-3:2006+A1:2010 Machines for underground mines - Safety requirements for hydraulic powered roof supports - Part 3: Hydraulic control systems	15 April 2023	C
107.	EN 1837:1999+A1:2009 Safety of machinery - Integral lighting of machines	15 April 2023	B
108.	EN 1974:1998+A1:2009 Food processing machinery - Slicing machines - Safety and hygiene requirements	15 April 2023	C
109.	EN 201:2009 Plastics and rubber machines - Injection moulding machines - Safety requirements	15 April 2023	C

110.	EN 60745-2-6:2010 Hand-held motor-operated electric tools - Safety - Part 2-6: Particular requirements for hammers (IEC 60745-2-6:2003, Modified, + A1:2006)	15 April 2023	C
111.	EN 81-40:2008 Safety rules for the construction and installation of lifts - Special lifts for the transport of persons and goods - Part 40: Stairlifts and inclined lifting platforms intended for persons with impaired mobility	15 April 2023	C
112.	EN ISO 11553-1:2008 Safety of machinery - Laser processing machines - Part 1: General safety requirements (ISO 11553-1:2005)	15 April 2023	C
113.	EN ISO 3743-2:2009 Acoustics - Determination of sound power levels of noise sources using sound pressure - Engineering methods for small, movable sources in reverberant fields - Part 2: Methods for special reverberation test rooms (ISO 3743-2:1994)	15 April 2023	B'