Commission Implementing Decision (EU) 2020/480 of 1 April 2020 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

COMMISSION IMPLEMENTING DECISION (EU) 2020/480

of 1 April 2020

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

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) 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 of 19 December 2006, the Commission made a request ('request M/396') to CEN and Cen Elec 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 M/396, CEN drafted new harmonised standards EN ISO 18497:2018 on safety of highly automated agricultural machinery, EN 14033-4:2019 on technical requirements for running and working railway applications on urban rail, EN 16770:2018 on chip and dust extraction systems for indoor installation of woodworking machines, EN 16712-4:2018 on high expansion foam generators, EN 62841-4-2:2019 on particular safety requirements for hedge trimmers, EN 62841-3-12:2019 on particular safety requirements for transportable threading machines, EN ISO 20607:2019 on the preparation of the safety-relevant parts of the

instruction manual for machinery, and EN 17067:2018 on safety requirements for remote control systems used in certain forestry machinery.

(4) In addition, on the basis of the request M/396, CEN and Cen Elec revised and amended existing standards to adapt them to technological progress including standards EN ISO 10517:2019, EN ISO 11148-13:2018, EN 12012-1:2018, EN 12733:2018, EN 16985:2018, EN ISO 19296:2018, EN ISO 28927-4:2010 and EN ISO 28927-4:2010/A1:2018, EN 60204-1:2018, EN IEC 60204-11:2019, EN 707:2019, EN 1459-2:2015+A1:2018, EN ISO 3691-5:2015, EN ISO 4254-9:2018, EN 12312-8:2018, and EN ISO 19353:2019.

(5) The Commission, together with CEN and Cen Elec, has assessed whether the standards drafted, revised and amended by CEN and Cen Elec comply with the request M/396.

(6) The standards drafted, revised and amended by CEN and Cen Elec on the basis of the request M/396 satisfy the 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*.

(7) As the result of the work by CEN and Cen Elec on the basis of the request M/396 several harmonised standards published in the *Official Journal of the European Union*[(4)] have been replaced, revised or amended. It is therefore necessary to withdraw the references of those standards from the *Official Journal of the European Union*. In order to give manufacturers sufficient time to prepare for application of the new standards, revised standards and amendments to standards, it is necessary to defer the withdrawal of the references of harmonised standards.

(8) References of harmonised standards EN ISO 19085-3:2017 on woodworking machines and EN ISO 28927-2:2009/A1:2017 on hand-held portable power tools, are included in Annexes I and II to Commission Implementing Decision (EU) 2019/436[(5)]. However, previous versions of those standards, EN 848-3:2012 and EN ISO 28927-2:2009, are published in the C series of *Official Journal of the European Union*[(6)] and have not been withdrawn. Given that standards EN 848-3:2012 and EN ISO 28927-2:2009 no longer represent the state of the art, it is appropriate to withdraw references of those standards from the *Official Journal of European Union*. In order to give manufacturers sufficient time to prepare for applying standards EN ISO 19085-3:2017 and EN ISO 28927-2:2009/A1:2017, it is necessary to defer the withdrawal of standards EN 848-3:2012 and EN ISO 28927-2:2009.

(9) Annex I to Implementing Decision (EU) 2019/436 lists the references of harmonised standards conferring a presumption of conformity with Directive 2006/42/EC and Annex II to that Implementing Decision lists the references of harmonised standards conferring a presumption of conformity with restrictions. Given that several references of harmonised standards need to be published and no restriction needs to be added when publishing those standards, it is appropriate to add those references to Annex I to Implementing Decision (EU) 2019/436. It is also necessary to replace reference to standard EN 62841-2-1:2018 in that annex to include reference to the latest amendment of that standard.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/480. (See end of Document for details)*

(10) 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 *Official Journal of the European Union* as from the dates set out in that Annex. Given that several references of harmonised standards that are published in the C series of the *Official Journal of the European Union* need to be withdrawn, it is appropriate to add those references to Annex III to Implementing Decision (EU) 2019/436.

(11) Implementing Decision (EU) 2019/436 should therefore be amended accordingly.

(12) 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

Annex I to Implementing Decision (EU) 2019/436 is amended in accordance with Annex I to this Decision.

Article 2

Annex III to Implementing Decision (EU) 2019/436 is amended in accordance with Annex II to this Decision.

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 2 October 2021..

Done at Brussels, 1 April 2020.

For the Commission

The President

Ursula VON DER LEYEN

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/480. (See end of Document for details)*

ANNEX I

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

(1) row 35 is replaced by the following:

35.	EN 62841-2-1:2018 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery – Safety – Part 2-1: Particular requirements for hand-held drills and impact drills (IEC 62841-2-1:2017, Modified) EN 62841-2-1:2018/ A11:2019	C

(2) the following rows are added:

43.	EN ISO 18497:2018 Agricultural machinery and tractors – Safety of highly automated agricultural machines – Principles for design (ISO 18497:2018)	B
44.	EN ISO 19353:2019 Safety of machinery – Fire prevention and fire protection (ISO 19353:2019)	B
45.	EN 707:2018 Agricultural machinery – Slurry tankers – Safety	C
46.	EN 1459-2:2015+A1:2018 Rough-terrain trucks – Safety requirements and verification – Part 2: Slewing variable-reach trucks	C
47.	EN ISO 3691-5:2015 Industrial trucks – Safety requirements and verification – Part	C

	5: Pedestrian-propelled trucks (ISO 3691-5:2014)	
48.	EN ISO 4254-9:2018 Agricultural machinery – Safety – Part 9: Seed drills (ISO 4254-9:2018)	C
49.	EN ISO 10517:2019 Powered hand-held hedge trimmers – Safety (ISO 10517:2019)	C
50.	EN ISO 11148-13:2018 Hand-held non-electric power tools – Safety requirements – Part 13: Fastener driving tools (ISO 11148-13:2017)	C
51.	EN 12012-1:2018 Plastics and rubber machines – Size reduction machines – Part 1: Safety requirements for blade granulators and shredders	C
52.	EN 12312-8:2018 Aircraft ground support equipment – Specific requirements – Part 8: Maintenance or service stairs and platforms	C
53.	EN 12733:2018 Agricultural and forestry machinery – Pedestrian controlled motor mowers – Safety	C
54.	EN 14033-4:2019 Railway applications – Track – Railbound construction and maintenance machines – Part 4: Technical requirements for running, travelling and working on urban rail	C
55.	EN 16712-4:2018 Portable equipment for projecting extinguishing agents supplied by firefighting pumps – Portable foam equipment	C