



## CONTRIBUTION

### EC Inception Impact Assessment on the Machinery Directive

CEIR's contribution referring to Directive 2006/42/EC

**Brussels, 8<sup>th</sup> February 2019**

CEIR, the European Association for the Taps and Valves Industry, welcomes the opportunity to express its views on a possible revision of the Machinery Directive.

CEIR supports options 1 and 2 for the reasons listed below.

Option 1 (alignment with the NLF) is clear: a directive that articulates itself differently from other legislative acts cannot be retained.

The current definitions of machinery and partly completed machinery offer too much scope for interpretation, leading different manufacturers to classify a similar or identical product in different legal ways. Indeed, the concept of specific application, for example, can be interpreted in many ways (from the strictest to the laxest reading) and does not make it possible to determine whether an equipment is a machine, a partly completed machinery, or sometimes a simple component. Today, we find ourselves with interpretations in total contradiction with those agreed and included in the original 1998 interpretation guide, which leads to destabilize the market for certain equipment, which had been stable for over 20 years.

It may also be useful to recall that components can be integrated into a machine without being evaluated according to the Machinery Directive: many pieces of equipment, developed for other industrial sectors, can be integrated into a machine. They are then evaluated according to other directives (PED, ATEX, EMCD, etc.) and it is, in this case, the responsibility of the machine manufacturer (or the integrator) to evaluate the residual risks associated with integration into his product. The boundaries with other Directives must be improved without necessarily any equipment constituting a machine being evaluated according to the Machine Directive at the time of placing it on the market (this does not mean that the equipment in question will not be evaluated against Machinery Directive during the final evaluation of the complete machine).

Finally, although the Machinery Directive covers a large number of pieces of equipment in a wide variety of fields, it would seem that it is open to too many interpretations, as shown by its current 457-page application guide for a law of only 63 pages.

Option 2 therefore seems to CEIR to be the most appropriate because, in addition to providing a better framework for new technologies (AI, IoT, documentation in electronic format, etc.), it would make it possible to refine and clarify the text and reduce the multiple interpretations that represent an additional burden and legal uncertainty for an industrial network which is, it should be recalled, mainly composed of SMEs.

Option 4 seems to CEIR to be a good initiative, but too premature since there are still too many uncertainties about future texts and too many possible interpretations of the current text.

For this reason, CEIR supports options 1 in conjunction with option 2. CEIR would be willing to cooperate with the European Commission in the revision process to find an appropriate definition of partly completed machinery, specific application, and other relevant issues, in the interest of all parties and in particular valve manufacturers.



### **About CEIR**

The European Association for the Taps and Valves Industry (CEIR) was formed in 1959 as the European federation of national manufacturer associations. CEIR gathers together a large number of European manufacturers in the field of valves and fittings. CEIR is composed of 12 national associations and 14 European corporate members. CEIR supports the principles of a free economy and private enterprise in Europe as well as on a global basis. CEIR represents the common economic, technical and scientific interests of the European valve industries, towards international authorities and in economic and commercial circles.

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#### **Contact persons:**

**Luca Conti**

General Secretariat, CEIR

E-mail: [secretariat@ceir.eu](mailto:secretariat@ceir.eu)

**Xavier Sornais**

Technical Committee for Building & Industrial Valves, CEIR Technical Secretary

E-mail: [xsornais@profluid.org](mailto:xsornais@profluid.org)