



CONTRIBUTION

Open Public Consultation on the revision of the Directive 2006/42/EC on machinery

CEIR's additional comments to the online questionnaire

Brussels, 28th August 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. The comments below have the objective to further explain and specify some of the replies answered in the online public consultation.

- Questions 86 and 87:

- 1) The questions are not related with the revision of the Machinery Directive, since these are exclusions established in the Pressure Equipment Directive. In addition, if a similar modification is to be considered, it would require a thorough review of the Pressure Equipment Directive, including the scope of application and in particular Art. 4.2;
- 2) The examples in question 86 are not relevant: the conformity of a pressure cooker will always be assessed according to category III (due to its exposure to flame - Art.4.1. b) and Annex 2 Table 5.
- 3) Motorized valves are not subject to the Machinery Directive (they have no specific application and are not only intended to be integrated into machines) → See answer 117.

- **Questions 90 and 100:** Very difficult to assess an estimation in percentage. The value does not correspond to any assessment, but this was the only way to meet the obligation to put a response so as not to be blocked in the questionnaire.

- **Question 117:** The definitions are fine. CEIR calls for consistency with the clarifications provided by the 1999 Machinery Directive Implementation Guide.

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The issue is even more ambiguous with products such as motorized valves since it is the intended end use of the product which determines whether or not it is covered by the Directive. This use is sometimes laid down by the manufacturer of the motorised valve where it is a separate whole machine.

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In most cases the manufacturer of the motorised valve does not stipulate a particular use, and thus the following rule can apply:
If a motorised valve, such as a lock gate valve sold as such, is installed in isolation, it is covered by the Directive because it has a definite application as supplied. It is the principal part of the lock gate and guarantees correct operating.
If a motorised valve intended to be incorporated in a machine or an assembly is sold to a manufacturer of machinery or more complex assemblies where "CE" marking is required under the "machinery" Directive, it should not be regarded as machinery within the meaning of the Directive but rather an ordinary component. Where necessary it will be accompanied by a manufacturer's declaration as referred to in Annex II.B.

- **Question 128 and 129:** CEIR is not able to assess which of the 3 options to pick. One of the 3 was selected since it was mandatory to proceed (128). For the value at question 129, please refer to 40, 41 and 46 above.



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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