



Machinery Directive 2006/42/EC

Orgalime Proposal for the European Commission Guidelines

“state of the art” in Annex I general principles para 3

Also in:

- Whereas number 6
- Whereas number 14
- Annex IX, clauses 9.2 and 9.3

What is unclear in the directive 2006/42/EC and has to be clarified?

→ What is meant by “state of the art”?

Orgalime Proposal for the European Commission Guidelines:

→ The state of the art is indicated by harmonised European standard(s) covering the safe design of the machinery or parts under consideration.

Manufacturers may use superior safety measures to those given in the standards. However, developments that are not used on production machines placed on the market and that have not been proved to be effective by a significant proportion of manufacturers are unlikely to be state of the art. As such, research results that have not been proved on particular types of machinery through routine use in a work environment are not the state of the art.

When a significant accident history has been identified on particular machinery European authorities may specify the measures and timescales that need to be adopted to reduce the numbers of accidents. This will represent the state of the art if there is wide agreement within EC authorities that the measures are appropriate and, in particular, if there is support from a significant proportion of European machinery manufacturers.

Disclaimer: The content of this fiche represents European industries' position on the subject. This position has been coordinated and agreed by European industrial associations collaborating on Orgalime's platform. This is therefore not an official European Commission guidance document.

Orgalime, the European Engineering Industries Association, speaks for 35 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 23 European countries. The industry employs some 10.9 million people in the EU and in 2007 accounted for some €1,813 billion of annual output. The industry not only represents more than one quarter of the output of manufactured products but also a third of the manufactured exports of the European Union.

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