



Machinery Directive 2006/42/EC

Orgalime Proposal for the European Commission Guidelines

Art 3 Declaration of Conformity (DoC)

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

Regarding the Declaration of Conformity (DoC): At page one of the European Commission's current draft on Article 3, the following is stated (5th para): "When, in addition to the Machinery Directive, one or more other Directives are applicable to machinery, the manufacturer **shall** draw up a single European Commission Declaration of Conformity referring to all of the Directives that are applicable, while ensuring that this Declaration contains all the information required by each of the Directives concerned ?

Orgalime Proposal for the European Commission Guidelines:

→ Orgalime proposes to replace the "shall" by a "**may**" since a single Declaration of Conformity may, in some particular cases, not be possible. The problem is that with the current sentence, it would not be allowed for the Machinery Directive to have more than one Declaration of Conformity even in the cases when it is impossible to combine a Declaration of Conformity for all applicable Directives.

This is, for instance, the case with outboard engines: Recreational Crafts Directive (RCD) due to the fact that Recreational Crafts Directive RCD ADCO requests to apply the ADCO Declaration of Conformity format, which is impossible to combine with other Declarations of Conformity.

This problem may also arise for outdoor noise due to the fact that an ADCO Declaration of Conformity format for outdoor noise may be in the pipeline.

→ Orgalime recommends the European Commission to change the text so as to prevent these problems and make it possible to have a combined Declaration of Conformity or alternatively two Declarations of Conformity.

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.
