



EU **DECLARATION OF CONFORMITY**

OFFICIAL JOURNAL OF MACHINERY
REGULATION (EU) 2023/1230

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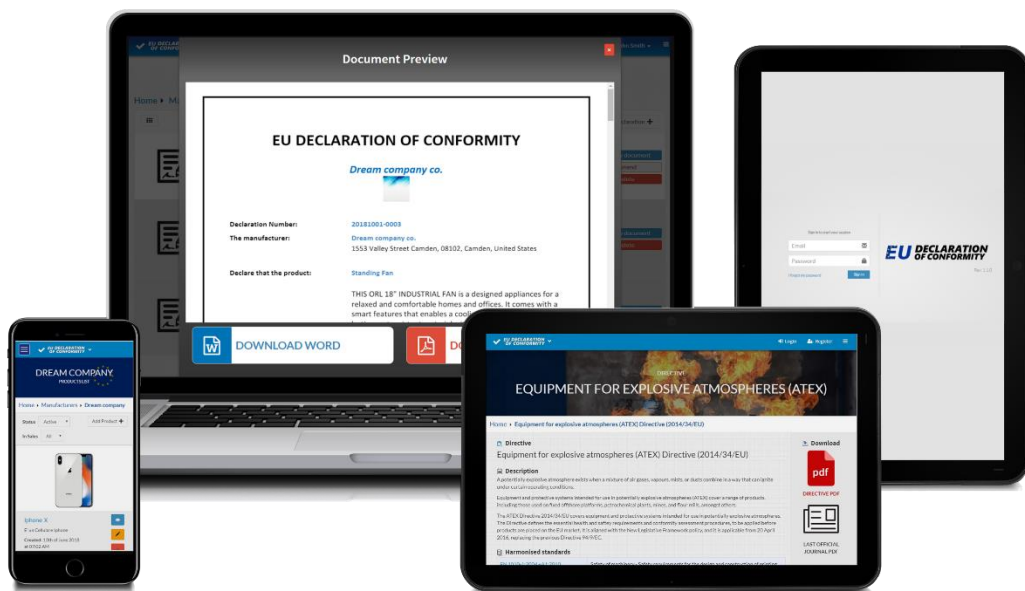
EU **DECLARATION
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2024/1329

15.5.2024

COMMISSION IMPLEMENTING DECISION (EU) 2024/1329

of 13 May 2024

amending and correcting Implementing Decision (EU) 2023/1586 as regards harmonised standards for explosion prevention and protection in explosive atmospheres, laser related equipment, safety-related parts of control systems, plastics and rubber machines, refuse collection vehicles, aircraft ground support equipment, driverless industrial trucks and their systems, electrically power assisted cycles, conveyor belts for winter sport or tourist use, pedestrian-propelled trucks, tenoning and profiling woodworking machines, tractors and machinery for agriculture and forestry, commercial vacuum packaging appliances, commercial refrigerating appliances and ice-makers, grass shears and motor-operated pedestrian controlled walk-behind garden machinery

(Text with EEA relevance)

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 harmonised standards, or parts thereof, the reference to which have been published in the *Official Journal of the European Union*, are to be presumed to comply with the essential health and safety requirements set out in Annex I to that Directive covered by those standards or parts thereof.
- (2) By letter M/396 of 19 December 2006, the Commission made a request to the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (Cenelec) ('the Request') 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, CEN and Cenelec drafted the following new harmonised standards: EN ISO 3691-4:2023 on safety requirements and verification of driverless industrial trucks and their systems, EN ISO 19085-12:2021 and its amendment thereto, EN ISO 19085-12:2021/A11:2023, on safety of tenoning and profiling woodworking machines, EN ISO 25119-1:2023 and its amendment thereto, EN ISO 25119-1:2023/A1:2023, on general principles of safety-related parts of control systems of tractors and machinery for agriculture and forestry, EN ISO 25119-2:2023 on concept phase of safety-related parts of control systems of tractors and machinery for agriculture and forestry, EN ISO 25119-3:2023 and its amendment thereto, EN ISO 25119-3:2023/A1:2023, on series development, hardware and software of tractors and machinery for agriculture and forestry, EN ISO 25119-4:2023 and its amendment thereto, EN ISO 25119-4:2023/A1:2023, on production, operation, modification and supporting processes of tractors and machinery for agriculture and forestry, as well as EN IEC 60335-2-119:2024 and its amendment thereto, EN IEC 60335-2-119:2024/A11:2024, on commercial vacuum packaging appliances.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12, ELI: <http://data.europa.eu/eli/reg/2012/1025/oj>.

⁽²⁾ OJ L 157, 9.6.2006, p. 24, ELI: <http://data.europa.eu/eli/dir/2006/42/oj>.

⁽³⁾ Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery (OJ L 207, 23.7.1998, p. 1, ELI: <http://data.europa.eu/eli/dir/1998/37/oj>).

- (4) Furthermore, on the basis of the Request, CEN and Cenelec revised the following harmonised standards, the references of which are published in the *Official Journal of the European Union* by Commission Implementing Decision (EU) 2023/1586 ⁽⁴⁾, in order to adapt them to technological progress, to correct or withdraw them: EN 1218-1:1999+A1:2009; EN 1218-2:2004+A1:2009, EN 1218-5:2004+A1:2009; EN 1417:2014, EN 1501-4:2007; EN 1915-1:2013; EN ISO 13849-1:2015; EN 15194:2017; EN 15700:2011; EN 16307-5:2013; EN IEC 60335-2-89:2022 and its amendment and correction thereto, EN IEC 60335-2-89:2022/A11:2022 and EN IEC 60335-2-89:2022/AC:2023-11; EN IEC 62841-4-5:2021 and its amendment thereto, EN IEC 62841-4-5:2021/A11:2021; and EN IEC 62841-4-7:2022 and its amendment thereto, EN IEC 62841-4-7:2022/A11:2022. This resulted in the adoption of the following amending, substituting, or correcting harmonised standards, respectively: EN ISO 19085-12:2021 and its amendment thereto, EN ISO 19085-12:2021/A11:2023; EN 1417:2023, EN 1501-4:2023; EN 1915-1:2023; EN ISO 13849-1:2023; EN 15194:2017+A1:2023; EN 15700:2023; EN 16307-5:2023; EN IEC 60335-2-89:2022/AC:2023-11; EN IEC 62841-4-5:2021/AC:2024-01; and EN IEC 62841-4-7:2022/AC:2023-05 and EN IEC 62841-4-7:2022/AC:2023-10.
- (5) The Commission, together with CEN and Cenelec, has assessed whether the standards drafted, revised and amended by CEN and Cenelec comply with the Request.
- (6) Having examined the standard EN 15700:2023 on safety for conveyor belts for winter sport or leisure use, the Commission concluded that the standard fails to meet the essential health and safety requirements set out in points 1.7.4.2. (u) of Annex I to Directive 2006/42/EC, namely the requirements concerning the contents of the instructions for use as regards the obligatory information on airborne noise emissions.
- (7) The reference of harmonised standard EN 15194:2017 on electrically power assisted cycles was cited with two restrictions covering risks associated with extreme temperatures, fire and explosion, as well as those covering vibrations. As EN 15194:2017+A1:2023 only addresses risks associated with extreme temperatures, fire and explosion, the restriction addressing vibrations should remain.
- (8) The harmonised standards drafted, revised and amended by CEN and Cenelec on the basis of the Request, except for harmonised standard EN 15700:2023 and 15194:2017+A1:2023, satisfy the safety 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, with restriction where relevant, in the *Official Journal of the European Union*.
- (9) Annex I to Implementing Decision (EU) 2023/1586 lists the references of harmonised standards conferring a presumption of conformity with Directive 2006/42/EC. In order to ensure that the references of harmonised standards drafted in support of Directive 2006/42/EC are listed in one act, the references of harmonised standards EN 1417:2023, EN 1501-4:2023, EN 1915-1:2023, EN ISO 3691-4:2023, EN ISO 13849-1:2023, EN 15194:2017+A1:2023, EN 15700:2023, EN 16307-5:2023, EN ISO 19085-12:2021 and its amendment thereto, EN ISO 19085-12:2021/A11:2023, EN ISO 25119-1:2023 and its amendment thereto, EN ISO 25119-1:2023/A1:2023, EN ISO 25119-2:2023, EN ISO 25119-3:2023 and its amendment thereto, EN ISO 25119-3:2023/A1:2023, EN ISO 25119-4:2023 and its amendment thereto, EN ISO 25119-4:2023/A1:2023, EN IEC 60335-2-89:2022 and its amendment and correction thereto, EN IEC 60335-2-89:2022/A11:2022 and EN IEC 60335-2-89:2022/AC:2023-11, EN IEC 60335-2-119:2024 and its amendment thereto, EN IEC 60335-2-119:2024/A11:2024, EN IEC 62841-4-5:2021 and its correction and amendment thereto, EN IEC 62841-4-5:2021/A11:2021 and EN IEC 62841-4-5:2021/AC:2024-01, as well as EN IEC 62841-4-7:2022 and its amendment and corrections thereto, EN IEC 62841-4-7:2022/A11:2022, EN IEC 62841-4-7:2022/AC:2023-05 and EN IEC 62841-4-7:2022/AC:2023-10, should be included in that Annex.
- (10) Harmonised standards EN 16590-1:2014, EN 16590-2:2014, EN 16590-3:2014 and EN 16590-4:2014, the references of which are listed in Annex I to Implementing Decision (EU) 2023/1586, should be considered obsolete, as they do no longer represent the state-of-the-art.

⁽⁴⁾ Commission Implementing Decision (EU) 2023/1586 of 26 July 2023 on harmonised standards for machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council (OJ L 194, 2.8.2023, p. 45, ELI: http://data.europa.eu/eli/dec_impl/2023/1586/oj).

- (11) It is necessary to withdraw the references of harmonised standards EN 1218-1:1999+A1:2009, EN 1218-2:2004+A1:2009, EN 1218-5:2004+A1:2009, EN 1417:2014, EN 1501-4:2007, EN 1915-1:2013, EN ISO 13849-1:2015, EN 15194:2017, EN 15700:2011 and EN 16307-5:2013, given that they have been revised, and of EN 16590-1:2014, EN 16590-2:2014, EN 16590-3:2014 and EN 16590-4:2014, given that they are considered obsolete, from *the Official Journal of the European Union*. It is therefore appropriate to delete those references from Annex I to Implementing Decision (EU) 2023/1586.
- (12) Harmonised standard EN 1127-2:2014 on explosion prevention and protection, with basic concepts and methodology, the reference of which is published by Implementing Decision (EU) 2023/1586, was erroneously listed as A-type standard instead of B-type standard, as regards machinery. Therefore, this error and its correction should be reflected in Parts One and Two of Annex I to Implementing Decision (EU) 2023/1586, accordingly.
- (13) Harmonised standard EN ISO 11554:2017 on test methods for laser beams in laser-related equipment, the reference of which is published by Implementing Decision (EU) 2023/1586, was erroneously listed as C-type standard instead of B-type standard, as regards machinery. Therefore, this error and its correction should be reflected in Parts Two and Three of Annex I to Implementing Decision (EU) 2023/1586, accordingly.
- (14) In order to give manufacturers sufficient time to adapt their machinery that is covered by harmonised standard EN 1218-1:1999+A1:2009, EN 1218-2:2004+A1:2009, EN 1218-5:2004+A1:2009, EN 1501-4:2007, EN 16590-1:2014, EN 16590-2:2014, EN 16590-3:2014, EN 16590-4, EN 1915-1:2013, EN ISO 13849-1:2015, EN 15194:2017, EN 15700:2011 or EN 16307-5:2013, it is necessary to defer the withdrawal of the references of those harmonised standards.
- (15) Implementing Decision (EU) 2023/1586 should therefore be amended accordingly.
- (16) 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

Implementing Decision (EU) 2023/1586 is amended as follows:

- (1) In Article 1, the second paragraph is replaced by the following:

‘The references of the harmonised standards listed in Part Three, point 2, rows 121, 266, 324a, 343, 405, 495, 495a, 502a, 513a, 671a and 681a of Annex I to this Decision are published with restriction.’; and
- (2) Annex I to Implementing Decision (EU) 2023/1586 is amended in accordance with Annex I to this Decision.

Article 2

Annex I to Implementing Decision (EU) 2023/1586 is corrected 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)(a) of Annex I shall apply from 15 May 2027.

Point (1)(b) of Annex I shall apply from 15 November 2025.

Point (2)(a) of Annex I shall apply from 15 November 2025.

Point (2)(b) of Annex I shall apply from 15 May 2026.

Done at Brussels, 13 May 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I to Implementing Decision (EU) 2023/1586 is amended as follows:

(1) in Part Two, point 2 is amended as follows:

- (a) row 66 is deleted;
- (b) rows 89 and 90 are deleted;
- (c) the following row is inserted:

‘66a.	EN ISO 13849-1:2023 Safety of machinery – Safety-related parts of control systems – Part 1: General principles for design (ISO 13849-1:2023);
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(2) in Part Three, point 2 is amended as follows:

- (a) rows 103, 104, 106, 112, 125, 173, 502, 542, 550 and 551 are deleted;
- (b) row 495 is deleted;
- (c) the following rows are inserted in sequential order:

‘112a.	EN 1417:2023 Plastics and rubber machines – Two-roll mills – Safety requirements’;
‘125a.	EN 1501-4:2023 Refuse collection vehicles – General requirements and safety requirements – Part 4: Noise test code for refuse collection vehicles’;
‘173a.	EN 1915-1:2023 Aircraft ground support equipment – General requirements – Part 1: Basic safety requirements’;
‘189a.	EN ISO 3691-4:2023 Industrial trucks – Safety requirements and verification – Part 4: Driverless industrial trucks and their systems’;
‘495a.	EN 15194:2017+A1:2023 Cycles – Electrically power assisted cycles – EPAC Bicycles Restriction: Harmonised standard EN 15194:2017+A1:2023 does not confer a presumption of conformity with the essential health and safety requirements set out in points 1.5.9 and 3.6.3.1 of Annex I to Directive 2006/42/EC, which require machinery to be designed and constructed to take into account the risks resulting from vibrations, and that machinery must be provided with the measurement of vibrations transmitted by the machinery to the operator of the machinery’;
‘502a.	EN 15700:2023 Safety for conveyor belts for winter sport or tourist use Restriction: With regard to paragraph 7.3 of this harmonised standard, compliance with this harmonised standard does not confer a presumption of conformity to the essential health and safety requirement 1.7.4.2. (u) of Annex I to Directive 2006/42/EC’;
‘542a.	EN 16307-5:2023 Industrial trucks – Safety requirements and verification – Part 5: Supplementary requirements for pedestrian-propelled trucks’;
‘585a.	EN ISO 19085-12:2021 Woodworking machines – Safety – Part 12: Tenoning/profiling machines (ISO 19085-12:2021) EN ISO 19085-12:2021/A11:2023’;

'604a.	EN ISO 25119-1:2023 Tractors and machinery for agriculture and forestry – Safety-related parts of control systems – Part 1: General principles for design and development (ISO 25119-1:2018) EN ISO 25119-1:2023/A1:2023';
'604b.	EN ISO 25119-2:2023 Tractors and machinery for agriculture and forestry – Safety-related parts of control systems – Part 2: Concept phase (ISO 25119-2:2019)';
'604c.	EN ISO 25119-3:2023 Tractors and machinery for agriculture and forestry – Safety-related parts of control systems – Part 3: Series development, hardware and software (ISO 25119-3:2018) EN ISO 25119-3:2023/A1:2023';
'604d.	EN ISO 25119-4:2023 Tractors and machinery for agriculture and forestry – Safety-related parts of control systems – Part 4: Production, operation, modification and supporting processes (ISO 25119-4:2018) EN ISO 25119-4:2023/A1:2023';
'655a.	EN IEC 60335-2-119:2024 Household and similar electrical appliances – Safety – Part 2-119: Particular requirements for commercial vacuum packaging appliances EN IEC 60335-2-119:2024/A11:2024';

(d) rows 651, 698 and 699 are replaced by:

'651.	EN IEC 60335-2-89:2022 Household and similar electrical appliances – Safety – Part 2-89: Particular requirements for commercial refrigerating appliances and ice-makers with an incorporated or remote refrigerant unit or motor-compressor (IEC 60335-2-89:2019) EN IEC 60335-2-89:2022/A11:2022 EN IEC 60335-2-89:2022/AC:2023-11';
'698.	EN IEC 62841-4-5:2021 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery – Safety – Part 4-5: Particular requirements for grass shears (IEC 62841-4-5:2021) EN IEC 62841-4-5:2021/A11:2021 EN IEC 62841-4-5:2021/AC:2024-01';
'699.	EN IEC 62841-4-7:2022 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery – Safety – Part 4-7: Particular requirements for pedestrian controlled walk-behind lawn scarifiers and aerators (IEC 62841-4-7:2022) EN IEC 62841-4-7:2022/A11:2022 EN IEC 62841-4-7:2022/AC:2023-05 EN IEC 62841-4-7:2022/AC:2023-10'.

ANNEX II

Annex I to Implementing Decision (EU) 2023/1586 is corrected as follows:

(1) in Part One, point 2 is replaced by the following:

‘2. Reference of the standard.

EN ISO 12100:2010, Safety of machinery – General principles for design – Risk assessment and risk reduction (ISO 12100:2010).’

(2) in Part Three, point 2, row 259 is deleted;

(3) in Part Two, point 2, the following rows are inserted in sequential order:

‘26a.	EN 1127-2:2014 Explosive atmospheres – Explosion prevention and protection – Part 2: Basic concepts and methodology for mining’;
‘53a.	EN ISO 11554:2017 Optics and photonics – Lasers and laser-related equipment – Test methods for laser beam power, energy and temporal characteristics (ISO 11554:2017)’.