

## What is your contribution as a supplier against protective equipment of machinery being defeated?



### 5 steps against defeating

1. Placing on the market of machinery in compliance with safety requirements
2. Optimum customer counselling
3. Being aware of one's model function
4. Comprehensive instruction/training of operators
5. Intervention in case of misconduct

Also machine suppliers are called upon to make their contribution to reducing defeat of protective equipment. It is to be noted that the supplier takes over the manufacturer's responsibilities when he places the machinery on the Community market for the first time. This may be the case e.g. when importing the machinery from a non-EEC country.

Apart from other explanations, reasons such as „Machinery is not appropriate“, or „Machinery is ergonomically bad“, are very often uttered when one asks for the reason of protective equipment being defeated.

Worldwide, it is necessary to take measures in accordance with the respective national legislation to prevent defeating of protective equipment.

For Europe, the following applies:

In acc. with art. 5 of the European Machinery Directive (MD), those who place machinery on the market are obliged to ensure the following:

(“placing on the market” = making machinery available for the first time with a view of distribution or use, see MD 2006/42/EC, art. 2, para. h)

- the essential safety and health requirements of Annex I of the MD are fulfilled
- the technical documentation in acc. with Annex VII of the MD is available
- the instructions for use are made available (in the official language of the place of use)
- the required conformity assessment procedures have been carried out
- the EC Declaration of conformity is accompanying the machine
- the CE marking has been affixed

Article 4 of the MD also regulates the market surveillance by the member states of the European Union:

- ensuring that machinery may be placed on the market and/or put into service only if it satisfies the relevant provisions of the MD and does not endanger health and safety of persons when used for its intended purpose or under reasonably foreseeable conditions
- instituting or appointing the competent authorities to monitor the conformity of the machinery placed on the market with the provisions of the MD

=>[Link to articles 4 and 5 of the MD 2006/42/EC](#)

Note:

In Switzerland, basically the same regulations apply as in the EU. The State Secretariat for Economic Affairs (SECO) and the Swiss National

Accident Insurance Fund (SUVA) actively monitor the market regarding fulfillment of the MD. Where it is found out that non-conform machinery is placed on the market, a prohibition of sale is pronounced for the respective product.

=>[Link to the Product Safety Act of Switzerland \(PrSG\)](#) (only in german language)

=>[Link to the Ordinance on product safety of Switzerland \(PrSV\)](#) (only in german language)

=>[Link to the Machinery Ordinance of Switzerland \(MaschV\)](#) (only in german language)

Therefore, quoting a competitive price and, above all, perceiving the customer's needs correctly and completely, and offering a solution based on these facts and adapted to the customer's needs contribute to success.

#### **Further information:**

Information leaflets of SUVA:

- [Flyer für den Schweizerischen Verband des Maschinen- und Werkzeughandels \(tecnoSwiss\)](#) (only in german language)
- ["Best Practice" from a company in the metal-working industry](#) (only in german language)
- [Presentation on the occasion of an assembly of the Schweizerischen Maschinen- und Werkzeughandels Verbandes \(tecnoSwiss\)](#) (only in german language)