



18.6.2024

NOTICE TO MEMBERS

Subject: Petition No 0121/2024 by Aleix Pi Puig (Spanish) on creating safety sheets for heavy machinery to increase safety at work in the EU

1. Summary of petition

The petitioner calls for a proposal at EU level to create a safer framework in the workplace, particularly regarding machinery. This initiative would aim to enhance efficiency in the workplace safety and health, especially concerning human-machine interaction. Drawing a parallel with chemical products, where manufacturers and importers must create Safety Data Sheets (SDS) for easy interpretation by both technical personnel and workers, the petitioner suggests developing a similar law for machinery at the European level. This law would require machinery manufacturers to produce safety sheets outlining various aspects such as machinery operation, required personal protective equipment, noise levels, safety systems, maintenance schedules, etc. Additionally, the petitioner stresses that these safety sheets should be easily accessible, perhaps through QR codes or other means, so that end-users can review safety requirements before purchasing machinery, ensuring they select equipment that best suits their safety needs. The petitioner emphasises the importance of this proposal, especially for large industrial machinery, where constant monitoring by safety personnel may not be feasible. Finally, he underlines that traditional machinery manuals are often dense and rarely read, further underscoring the need for concise and accessible safety documentation.

2. Admissibility

Declared admissible on 30 April 2024. Information requested from Commission under Rule 227(5) (New Rule 233(5)).

3. Commission reply, received on 18 June 2024

The petition

The petitioner suggests that health and safety in the workplace could benefit from easily accessible safety data sheets outlining various aspects such as machinery operation, required personal protective equipment, noise levels, safety systems and maintenance schedules. They further note that end-users or those responsible for personnel working with machinery could review such easy-to-understand safety requirements before purchasing machinery, with a view to select equipment that best suits their safety needs.

The Commission's observations

The Machinery Directive 2006/42/EC¹ explicitly covers the instructions for use, as well as the contents and statements contained in sales literature. The Machinery Regulation (EU) 2023/1230², that will replace the Machinery Directive, as of 20 January 2027, will mandate the provision of essential safety information for putting the machinery into service and for using it in a safe way for non-professional users. This information will have to be provided in paper format. The Machinery Regulation also clarifies under which conditions, instructions can be provided under digital format, for example by using a QR code affixed on the machinery.

The content of instructions for use and other related documentation is thus a matter which is exhaustively covered by the Machinery Directive and Machinery Regulation. By the latter, the legislator has made deliberate choices as to the type of safety information and its format, intended for both professional and non-professional users. In all cases, the EU legislation generally requires that safety information is easily understood and clear.

Conclusion

The petitioner is requesting intervention in the area of machinery safety that is covered by EU legislation applicable to machinery, including the required safety information as part of the instructions for use.

In this context, the legislator has recently decided that non-professional users should receive a printed version of the essential safety information. As regards professional users, depending on the choice of the manufacturer, the relevant documentation, including safety information, can already be accessible easily in a digital format (downloadable and printable).

In all cases, safety information must be easily understood and clear. When in practice such information is not clear, as the petitioner appears to suggest, this should rather be a matter dealt with by national market surveillance authorities responsible for machinery with non-compliant documentation on their respective markets.

¹ OJ L 157, 9.6.2006, p. 24

² OJ L 165, 29.6.2023, p. 1