



## Market surveillance in the machinery area

### Phil PAPARD

ADCO Group Machinery

The Machinery Directive covers a vast range of consumer and industrial products which present a significant health and safety risk. It also covers one of the largest and most important industrial sectors. To address the risks and maintain competitiveness there needs to be both excellent standards that fully meet the essential health and safety requirements (EHSRs) of the Machinery Directive and for these standards to be followed or an equivalent level of risk reduction achieved by other means.

Unfortunately just having good legislation and standards is not enough; human nature means there is always non-compliance either through ignorance, misunderstanding, or by the deliberate intention not to comply. For the system to work there needs to be effective market surveillance to ensure compliance both for EU and imported goods.

If authorities had unlimited resources, market surveillance would be straightforward. This is not the case and in most member states there is a tightening of resources as authorities have an increasing duty to be prudent with tax payers' money and ensure it is used and targeted to best effect.

The New Approach Regulation and Decision that will come into force on 1 December 2010 requires that Member States have effective market surveillance systems and border controls. But it also addresses some of the tools to help achieve this, by giving the Commission the legal possibility to help fund cooperation between member states, e.g. through the ADCO groups, and also for there to be a cross EU database and information system to help and coordinate market surveillance and limit duplication of work.

This paper explores how better market surveillance can be achieved by being smarter with our resources by using ADCO groups to agree targeted projects and using ICSMS (Information and communication system for market surveillance) to coordinate, record and report on the work. The paper will explain how the particular problem of border control of larger items of machinery, which will not be complete until delivered and built up on site, can be addressed by cooperation between border and market surveillance authorities, whether this is an industrial plant or a consumer home lift.