



EUROPEAN COMMISSION
ENTERPRISE DIRECTORATE-GENERAL

Conformity and standardisation, new approach, industries under new approach
Mechanical and electrical equipment (including telecom terminal equipment)

M 301 - EN

**MANDATE TO CEN CONCERNING THE EXECUTION OF
STANDARDIZATION WORK, WITHIN THE CONTEXT OF DIRECTIVE
98/37/EC RELATING TO MACHINERY, FOR THE PURPOSE OF REVISING
STANDARDS EN 1726-1 AND EN 1459 RELATING TO THE SAFETY OF
INDUSTRIAL TRUCKS**

1. GROUNDS

By mandate (mandate M079 of the purchase order 91-01), the Commission required of CEN to establish a standard for industrial trucks. These standards carries the references EN 1726-1 "Safety of industrial trucks - Self-propelled trucks up to and including 10000 kg capacity and industrial tractors with a drawbar pull up to and including 20 000 N - Part 1: General requirements" and EN 1459 "Safety of industrial trucks - Self propelled variable reach trucks".

They were adopted by CEN in 1998 and made available to the Commission in 1999 with the view to publishing their references the OJEC, so that their application would confer to the manufacturer a presumption of conformity with the pertinent dispositions of the directive.

Following a safeguard clause submitted by Germany and supported by other Member States against EN 1726-1, it has been notices that this standard did not handle the risk for the operator to be crushed between the ground and the truck, when it came to tip over. The same omission exists also in EN 1459

The services of the Commission, after having discussed with the Committee responsible for Directive 98/37/EC related to Machinery and after the opinion of the 98/34 Committee on «Standards and Technical Regulations», have decided to proceed with the publication of these two standards with the following warning: "Users of the standard are informed that the standard does not cover the risks to which the operator is exposed in the event of the truck accidentally tipping over. The standard does not give a presumption of conformity in that respect."

It was also decided to give a mandate to CEN, with their agreement, in order to proceed, as soon as possible, to the revision of the abovementioned standards in order to take these risks into consideration.

2. DESCRIPTION OF THE MANDATED WORK.

CEN must carry out a complete revision of standards EN 1726-1 and EN 1459, taking account amongst others of the following points: the standards must take into consideration the hazards when the truck is used in normal and foreseeable conditions.

In this framework tip over of the truck when it is unloaded shall be taken into consideration et the operator's safety shall be ensured, in particular for the aspect related to the crushing of the operator between the ground and the truck.

It is suggested to CEN to work in two stages: in a first stage an amendment to the standards has to be prepared with regard to a retention device. In a second stage a complete revision of the two standards has to be made in order to increase the general stability of the trucks.

3. EXECUTION OF MANDATE

- 3.1. CEN itself will ensure that the working group in charge will work with a sense of pressing urgency and that meetings will be held, during the drafting of the project text, at least once a quarter. At the end of the working group's work, the technical committee will have to deliver its opinion on this work within three months. CEN will make sure that no delay occurs because of translations.
- 3.2. CEN will submit a project of revision of standard (stage 40) to the Commission before **the 30th of March 2001**.
- 3.3. The European standard (EN) will have to be adopted by CEN before the **30th of November 2001**. On this date, the three linguistic versions (DE, EN, and FR) will have to be available, as well as the correct titles in the other languages of the Community.
- 3.4. The adopted European standards will have to be transposed in national standards and the divergent national standards will have to be withdrawn from the catalogues of the national organisations of standardisation in the Member States, within six months following the adoption of the European standards.
- 3.5. Acceptance by CEN of this mandate of standardisation will open the period of statu quo referred to in to article 7 of directive 98/34/EC¹ of June 22, 1998.

¹ OJ L 204, 21.07.98, p.37, amended by directive 98/48/EC (OJ L 217, 5/8/98, p. 18)