



EUROPEAN COMMISSION  
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL  
New Approach Industries, Tourism and CSR  
Mechanical, Electrical and Telecom Equipment

Brussels, 4<sup>th</sup> February 2009  
**M/440 EN**

**STANDARDISATION MANDATE GIVEN TO THE EUROPEAN COMMITTEE  
FOR STANDARDISATION (CEN) UNDER DIRECTIVE 2006/42/EC ON  
MACHINERY WITH A VIEW TO AMENDMENT OF STANDARD EN 12312-  
9:2005 - *Aircraft ground support equipment - Specific requirements – Part 9:  
Container/Pallet loaders***

**1. BACKGROUND**

The above mentioned standard was adopted by CEN on 21 March 2005. France lodged a formal objection against the standard on the ground that the standard failed to deal adequately with the risk of falling from the raised operating position and from other positions to which the operators have access when operating the cargo doors and handling the loads. The issue was discussed at the meeting of the Machinery Working Group held on 8<sup>th</sup> June 2006.

The conclusion was that the standard failed to meet the essential health and safety requirement 1.5.15 of Annex I to Directive 98/37/EC on the risk of slipping, tripping or falling, in conjunction with the essential health requirement 1.1.2 (b) of that Annex on the principles of safety integration. In particular, clause 5.6 of the standard, “Crushing, shearing and falling”, does not give specifications for the choice, design, location and construction of the means to be used to protect against falling from container and pallet loaders but only refers to the general specifications of EN 1915-1:2001, “Aircraft ground support equipment - General requirements – Part 1: Basic safety requirements” which describe the various types of protection that can be used.

As a result, the Commission decided to publish the references of the standard in the *Official Journal of the European Union* with a warning indicating that clause 5.6 of the standard does not confer a presumption of conformity with the essential health and safety requirement 1.5.15 in conjunction with the requirement 1.1.2 (b) of Annex I to Directive 98/37/EC.

**2. WORK COVERED BY THE MANDATE**

CEN shall amend the standard EN 12312-9:2005 - *Aircraft ground support equipment - Specific requirements – Part 9: Container/Pallet loaders*, taking particular account of the essential health and safety requirement 1.5.15 in conjunction with the requirement 1.1.2 (b) of Annex I to Directive 2006/42/EC (that replaces Directive 98/37/EC as from 29 December 2009), in order to specify effective means of protection against the risk of

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falling from the raised operating position and from other positions to which the operators have access when operating the cargo doors and handling the loads while accommodating the shape of the aircraft and avoiding damage to it. Appropriate reference may be made to the standards of the EN ISO 14122 series.

### **3. IMPLEMENTATION OF THE MANDATE**

- 3.1. CEN shall ensure that the Technical Committee responsible for this work treats it as a matter of urgency.
- 3.2. CEN shall present the necessary draft amended standard(s) to the Commission by March 2010.
- 3.3. CEN shall adopt the amended European standard(s) by March 2011. The English, French and German versions of the amended standard(s) shall be available by this date, as shall the correct titles in the other official Community languages.
- 3.4. The European standard(s) adopted shall be transposed into national standards and divergent national standards shall be withdrawn from the catalogues of the Member States' national standardisation bodies within six months of the adoption of the European standards.
- 3.5. The standstill period referred to in Article 7 of Directive 98/34/EC<sup>1</sup> of 22 June 1998 will commence on acceptance of this standardisation mandate by CEN.

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<sup>1</sup> OJ L 204 of 21.07.98, p. 37, as amended by Directive 98/48/EC (OJ L 217 of 5/8/98, p. 18).