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International regulatory cooperation

Progress report on the Sectoral Initiative on Earth-Moving Machinery

Note by the secretariat¹

Summary

To protect workers from potential hazards, earth-moving machinery needs to be safe. In 2003, the Working Party set up a Sectoral Initiative to reduce technical barriers to trade in this sector, but preserving the safety and reliability of equipment.

This document reports on progress in the work of the Initiative and is submitted to the Working Party for discussion and adoption.

I. Project objective and key deliverables

1. To protect workers from potentially serious hazards, machinery such as excavators, wheel loaders and other earth-moving machinery (EMM) need to respect strict safety requirements. Both industry and Governments have been developing and applying best

¹ At its eighteenth session, the Working Party asked the secretariat to provide annual updates on the work of all the sectoral initiatives (ECE/TRADE/C/WP.6/2008/18, para. 63).

practice and international standards, especially in the context of the Technical Committee 127 of the International Organization for Standardization (ISO/TC 127).

2. In all major markets, ISO standards have long been used as the basis for national standards. However, more and more countries are adding regulatory requirements, as well as requirements for repeated testing and lengthy conformity-assessment procedures, which inflate prices with little gain in safety and quality of the traded equipment.

3. In 2003, the Working Party set up a Sectoral Initiative to reduce technical barriers to trade in this sector while preserving safety and reliability of equipment traded internationally. In 2004, it approved the first version of the Common Regulatory Objectives (CROs) for the safety requirements of earth-moving machinery, and a revised version in 2009. In 2010, the project initiated a model certificate of conformity that, if broadly adopted, would make data exchange easier between the producers, machine users, third-party certifiers and the authorities of exporting and importing countries.

4. In 2011, “risk management” and “market surveillance” were recognized as important considerations for EMM safety and are being evaluated as addition to the EMM project. Market surveillance had not been previously considered in the project and risk management is a new area that is also important for EMM.

II. Present status

5. Since 2004, an international team has been promoting the general principles of the project in China, India, the Republic of Korea, the Russian Federation, South Africa and some countries of South America. It has been doing so both by promoting the adoption of the ISO/TC 127 standards as national standards and by recommending that countries use standards as the basis for technical regulations. Since most countries generally adopt the ISO/TC 127 standards as their national standards, the CROs were broadly considered as acceptable.

6. The compliance clause in the CROs (2004) allowed for conformity assessment only through the use of a supplier declaration of conformity (SDoC). This, however, failed to meet the requirements of some of the developing countries, where SDoC is not considered a suitable tool for this sector.

7. The CROs were therefore revised and now allow for manufacturers to avail themselves of the services of external certifiers. This encourages the manufacturer and the third party to work within a stable framework; and testing that has already been done by the manufacturer can be used by the third party, within specific guidelines. The end goal of the process should be to build capacity at the manufacturer’s premises, so that ultimately the SDoC becomes the alternative of choice.

8. A revised version of the CROs—approved by the Working Party at its annual session in 2009 (see ECE/TRADE/C/WP.6/2009/19, para. 36)—is available as an annex to ECE/TRADE/C/WP.6/2010/11.

9. In 2010, the EMM project initiated a model certificate of conformity to respond to requests that manufacturers receive for compliance and certification in many areas. A common certificate could benefit customers, government officials and manufacturers.

III. Project meetings and/or conference calls held in 2013

10. The Earth-Moving Machinery Task Force exchanged information informally by e-mail throughout 2013 and participated in the annual planning meeting of the WP.6 activities in April 2013.

IV. Progress in 2013 and deliverables for the annual session

11. A model certificate of conformity based on best practice in this and other sectors is being developed. If broadly adopted, the certificate would simplify the exchange of data between the producers, machine users, third-party certifiers and the authorities of exporting and importing countries. At the 2010 annual session, a draft general global certificate was made available as an annex to the annual programme report (see ECE/TRADE/C/WP.6/2010/11)

12. In 2012, training activities on the CROs and associated standards were conducted in several countries, including China, India and Viet Nam.

13. Work is continuing so as to add both risk management and market surveillance to the EMM initiative. In 2011, the project recognized the need to also address risk management and market surveillance to achieve the EMM goal of zero injuries for machine operators and other workers. Not only must machines be designed to address safety risks, the additional risks on the work site need to be addressed. And work sites need a surveillance plan to ensure that machines are maintained and used safely. Details of ongoing work can be found in ECE/TRADE/C/WP.6/2010/11/annex II.

14. In 2012 and 2013 the international team is continuing to promote the project and to support new regulatory activity with seminars and participation in meetings in the following areas: China, India, Viet Nam, Africa, Middle East, South America and the Gulf region.

V. Responsibility for the continuation of the work

15. The Earth-Moving Machinery Project Task Force consists of the following persons:

- Dan Roley (United States of America) – Convener
- Yoshie Ideura (Japan)
- Stefan Nilsson (Sweden).

VI. Role of the secretariat

16. The Task Force expects the secretariat to keep the website updated and to assist the Convener in maintaining and developing contacts with Governments to promote the project.
