



## POSITION PAPER

### CEIR's comments regarding the Machinery Directive 2006/42/EC

Date: 3 February 2014 (update of the previous position dated 3 December 2009)
Referring to: Machinery Directive 2006/42/EC
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Pages: 2
Transparency Register ID no: 54018122087-6

## IN PRINCIPLE VALVES SHOULD NOT BE CONSIDERED AS MACHINERY

The following table identifies the different application types of industrial valves and their legal status in terms of safety with regard to the Machinery Directive 2006/42/EC (MD) and other possibly applicable regulations such as the Pressure Equipment Directive 97/23/EC (PED). This table reflects the sole interpretation of CEIR<sup>1</sup>.

Based on this table, each industrial valve manufacturer can find and read if his products must fulfil the requirements of the Machinery Directive 2006/42/EC. If compliance with the Machinery Directive is required, the manufacturer should indicate this specifically in the sales documents according to the directive.

This table has been drafted with reference to both Directives (MD and PED), as well as to the European Commission Guide to the application of the Machinery Directive 2006/42/EC<sup>i</sup>, and the European Commission Guidelines on the Pressure Equipment Directive 97/23/EC<sup>ii</sup>.

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<sup>1</sup> *Disclaimer: This CEIR position intends to clarify possible questions when implementing the requirements of Directive 2006/42/EC. While it attempts to provide accurate information, we provide no guarantee or take no responsibility of any kind with respect to the information included herein or its completeness or accuracy. We are not responsible for any action taken as a result of relying on or in any way using the information contained in this position and in no event shall be liable for any damages resulting from reliance on or use of this information. As with all information or reference material, users should use their own best judgment as to the usefulness and accuracy of any information presented. This position may contain inaccuracies, and changes to the information contained herein may be made at any time.*

Valve	Picture (example)	Legal status/ applicable directive	Legal references
Manual valves and check valves without actuators		<b>Not in the scope of the MD.</b> May be subject to the PED.	Articles 1 (a) and 2 (a) - first indent - of the MD (see §35 of the MD Guide)
Valves intended for incorporation into machinery (in general)		Machinery components, <b>not in the scope of the MD</b> as such. May be subject to the PED, Low Voltage Directive (LVD), Electro Magnetic Compatibility Directive (EMCD), equipment and protective systems intended for use in potentially explosive atmospheres (ATEX-D) depending on the energy source, characteristics and intended use.	(see §35 of the MD Guide)
Valves intended to fulfil safety functions in machinery	No example identified among CEIR members.	<b>Safety components subject to the MD.</b> May also be subject to the PED.	Articles 1 (c), 2 (c) and Annex V, item 5 of the MD (see §42, §205, §342 & §389 of the MD Guide)
'Stand-alone' valves with powered actuators intended for process installations or transport lines of fluid (i.e. not intended for incorporation into machinery)		In general: subject to the PED. May also be subject to the LVD, EMCD, ATEX-D depending on the energy source, characteristics and intended use. Except in some very specific cases (see below specific cases line), a "stand-alone" valve has no specific application and therefore is <b>not in the scope of the MD as such</b> . Risks linked to the primary function are covered by the PED.	Articles 1, 2.1, 2.1.5 and 2.3 of the PED  Articles 2 (a) and 3 of the MD
Safety valves (i.e. relief valves intended to prevent overpressure in pressure equipment)		Safety accessories subject to the PED. May also be subject to the LVD, EMCD, ATEX-D depending on the energy source, characteristics and intended use. <b>Not in the scope of the MD.</b>	Articles 1 and 2.1.3 of the PED
Valve actuators		<b>Not in the scope of the MD:</b> not machinery or partly completed machinery (they are the drive system of a valve, which is not machinery in general). Other Directives such as LVD, EMCD, PED, ATEX-D are applicable.	Articles 2(a) and 2(g) of the MD
Specific cases (e.g. actuated penstock valves, counterweight valves)		Some industrial valves may have a defined and specific application and present risks that are not covered by other Directives, such as the PED. <b>In these cases, the MD may apply.</b>	Articles 1 and 2(a) of the MD

<sup>i</sup>[http://ec.europa.eu/enterprise/sectors/mechanical/files/machinery/guide-appl-2006-42-ec-2nd-201006\\_en.pdf](http://ec.europa.eu/enterprise/sectors/mechanical/files/machinery/guide-appl-2006-42-ec-2nd-201006_en.pdf)

<sup>ii</sup><http://ec.europa.eu/enterprise/sectors/pressure-and-gas/documents/ped/guidelines/>