



Notification Number: 2003/217/F

## Draft opinion on concrete breakers

Date received : 20/06/2003

End of Standstill : 22/09/2003

Issue of comments by : Commission

### Message

Message 002

Communication from the Commission - SG(2003) D/51202

Directive 98/34/EC

Translation of the message 001

Notification: 2003/0217/F

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200301202.EN)

#### 1. Structured Information Line

MSG 002 IND 2003 0217 F EN 22-09-2003 20-06-2003 F NOTIF 22-09-2003

#### 2. Member State

France

#### 3. Department Responsible

Délégué interministériel aux normes - SQUALPI-  
DiGITIP 5-12 rue villiot- 75572 PARIS cedex 12-

#### 3. Originating Department

Ministère des affaires sociales, du travail et de la solidarité  
Tour Mirabeau 39/45 quai André Citroën - 75902 Paris Cédex 15

#### 4. Notification Number

2003/0217/F - I30

#### 5. Title

Draft opinion on concrete breakers



## 6. Products Concerned

Concrete breakers whose placing on the market and commissioning is governed by the transposition into French law of Directive 98/37/EC on the approximation of the laws of the Member States relating to machinery.

## 7. Notification Under Another Act

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## 8. Main Content

The essential health and safety requirement under point 1.5.8 [sic] of Annex I to Directive 98/37/EC lays down that "Machinery must be so designed and constructed that risks resulting from vibrations produced by the machinery are reduced to the lowest level, taking account of technical progress and the availability of means of reducing vibration, in particular at source."

On the basis of the results and conclusions of a measuring programme of vibrations produced using representative specimens of concrete breakers placed on the national market, this text defines a single reference value exceeding the level that the state of the art can reach.

It informs the manufacturers, importers, hirers, distributors and users that this single reference value corresponds to the weighted root mean square acceleration value of  $8\text{m/s}^2$  measured in accordance with the test code of standard NF EN ISO 28662-5.

## 9. Brief Statement of Grounds

This is in the context of the future transposition of Directive 2002/44/EC of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) to contribute to the placing on the market by the manufacturers, hirers, distributors and to user choice of the concrete breakers producing the least possible vibrations.

## 10. Reference Documents - Basic Texts

Articles L.233-5 and R.233.83 and point 1.5.9. of Annex I to Book II of the Employment Code introduced by Article R. 233.84 of the Employment Code.

## 11. Invocation of the Emergency Procedure

No

## 12. Grounds for the Emergency

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## 13. Confidentiality

No

## 14. Fiscal measures

No



**15. Impact assessment**

No

**16. TBT and SPS aspects**

No

David O'Sullivan  
Secretary-General  
European Commission

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sent to :

BELNotif Qualité et Sécurité  
Mme Descamps

Bundesministerium für Wirtschaft Referat XA2  
Frau Christina Jäckel

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1  
Frau MARKL Iris

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1  
Frau Brigitte WIKGOLM

Department of Trade and Industry - Standards and Technical Regulations - Dir 2  
Mrs Brenda O'Grady

EFTA Surveillance Authority  
Mr. Gunnar Thor PETURSSON

ELOT  
Mr E. Melagrakis

Erhvervs- og Boligstyrelsen  
Lene Hald Nielsen

European Free Trade Association  
.

Institut Belge de Normalisation  
Mme F. Hombert

Instituto Português da Qualidade  
Sra. Candida Pires



Kauppa-ja teollisuusministeriö  
M. Henri Backman

Kommerskollegium  
Mme Kerstin Carlsson

Min. de Asuntos Exteriores  
Esther Perez Pelaez

Min. of Industry, Energy & Technology  
Mr K. Polychronidis

Ministerie van Financien Belastingdienst - Douane / CDIU  
De Heer IJ.G. van der Heide

Ministero dell'Industria, del commercio e dell'artigianato  
Signor P. Cavanna

NSAI  
Mr Tony Losty

National Agency for Enterprise & Housing  
Laila Østergren

Représentation Permanente de la Belgique auprès de l'Union européenne

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Représentation Permanente de la France

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Représentation Permanente du Luxembourg

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SQUALPI  
Mme Piau

Service de l'Energie de l'Etat  
Mr J.-P. Hoffmann

David O'Sullivan  
General Secretary  
European Commission

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sent to :



Departement of Trade and Industry - Standards and Technical Regulations - Dir 2  
Mr Philip Plumb

EFTA Surveillance Authority  
Mr. Gunnar Thor PETURSSON

ELOT  
Mr E. Melagrakis

European Free Trade Association  
.

Kauppa-ja teollisuusministeriö  
M. Henri Backman

Kommerskollegium  
Mme Kerstin Carlsson

Min. of Industry, Energy & Technology  
Mr K. Polychronidis

Ministerie van Financien Belastingdienst - Douane / CDIU  
De Heer IJ.G. van der Heide

NSAI  
Mr Tony Losty

Représentation Permanente de l'Irlande  
Denis Colfer

Représentation Permanente du Royaume-Uni  
.

Undersecretariat of Foreign Trade General Directorate of Standardisation  
Saadettin DOGAN