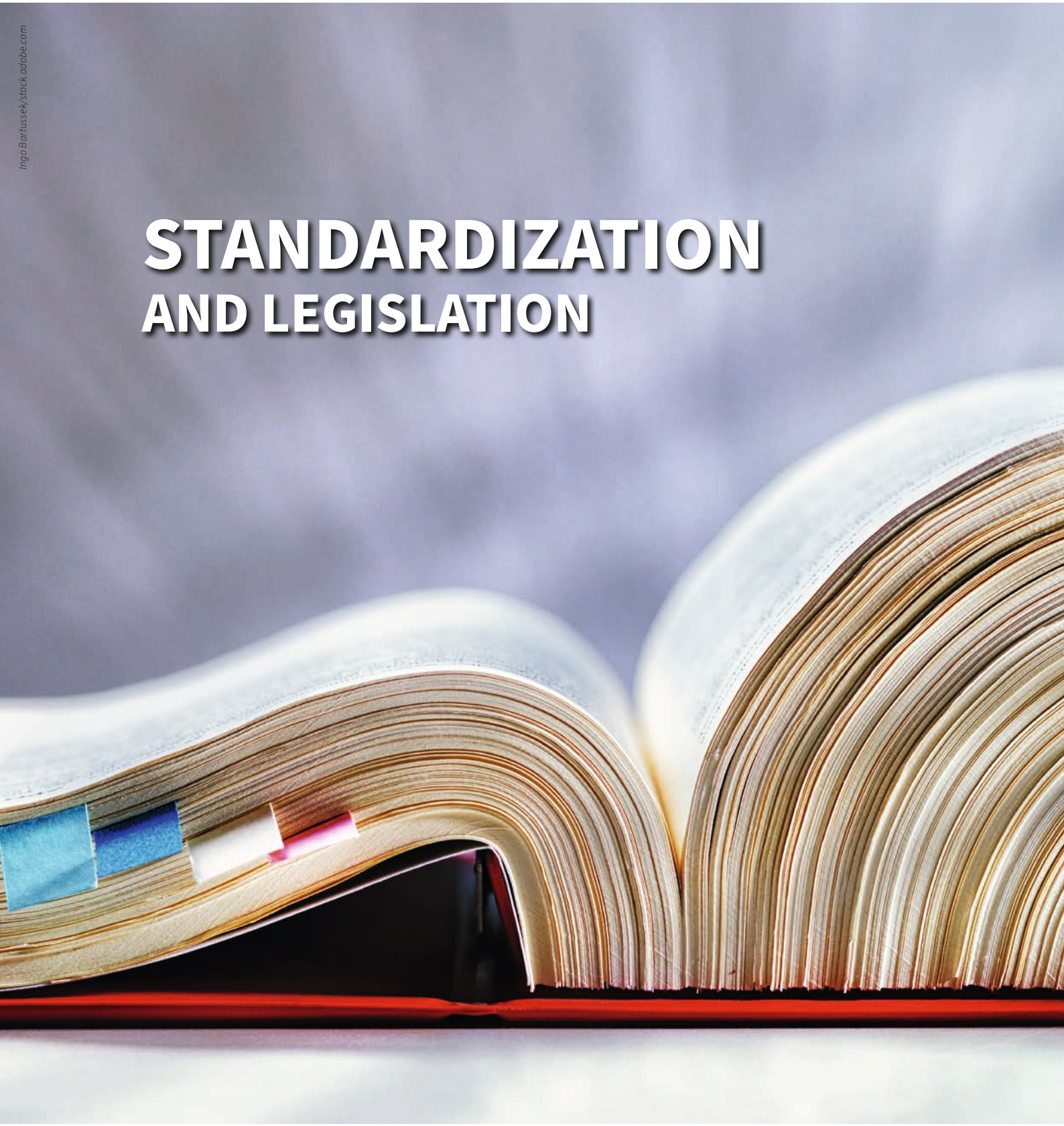
KAN Brief
4/22
Kommission Arbeitsschutz und Normung



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STANDARDIZATION AND LEGISLATION

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Kommission Arbeitsschutz und Normung (KAN)

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KAN – Kommission Arbeitsschutz und Normung

Benjamin Pfalz
Chairman of KAN

German Metalworkers' Trade Union (IG Metall)

Coherence and legal certainty in uncertain times

Addressing the detailed issues of occupational safety and health and standardization requires resources and the advocacy of coherence, legal certainty and democratic principles. These requirements present a challenge in times of continuing supply bottlenecks, high inflation and ever-increasing energy costs. And yet: never before has the task been so important.

The dramatic pace of technological change, and global crises such as those we are experiencing in relation to the climate, trade and armed conflicts, are spawning an increasingly diverse need for rules and standards. In crisis mode, however, a risk exists of the focus shifting, and of things that were previously taken as a given for the occupational safety of workers now being questioned.

By contrast, the example of the German Product Safety Committee (AfPS) illustrates how coherence and legal certainty are to be established – in this case within the scope of the German Product Safety Act. Identifying non-harmonized standards which give rise to a presumption of conformity is among the committee's important tasks.

Adjustments and improvements are also needed in other areas, not least that of EU legislation. Delegated acts – a subject on which opinions diverge strongly – can be a useful instrument here. KAN and the stakeholders represented in it work to ensure that delegated acts are used appropriately within the applicable scope.

In all our efforts, fora for discussion are needed that are conducive to mutual guidance. Opportunities such as those recently created by the EUROSHNET conference with KAN's involvement assist all the parties concerned in meeting the challenges in uncertain times. **«**

Use of delegated acts in European legislation

The instrument of the delegated act is used to adapt European legislative acts to scientific and technical progress. What does this mean in practice, and what potential influence does it have on standardization?

European Union (EU) law can be divided into primary and secondary legislation. Primary legislation comprises the EU treaties, the Charter of Fundamental Rights and the general legal principles of the European Court of Justice. Secondary legislation includes all acts adopted by the European Parliament and the Council by means of which the EU exercises its powers. Beyond this, the Treaty on the Functioning of the EU (TFEU) defines a hierarchy within secondary legislation: legislative acts, delegated acts and implementing acts.

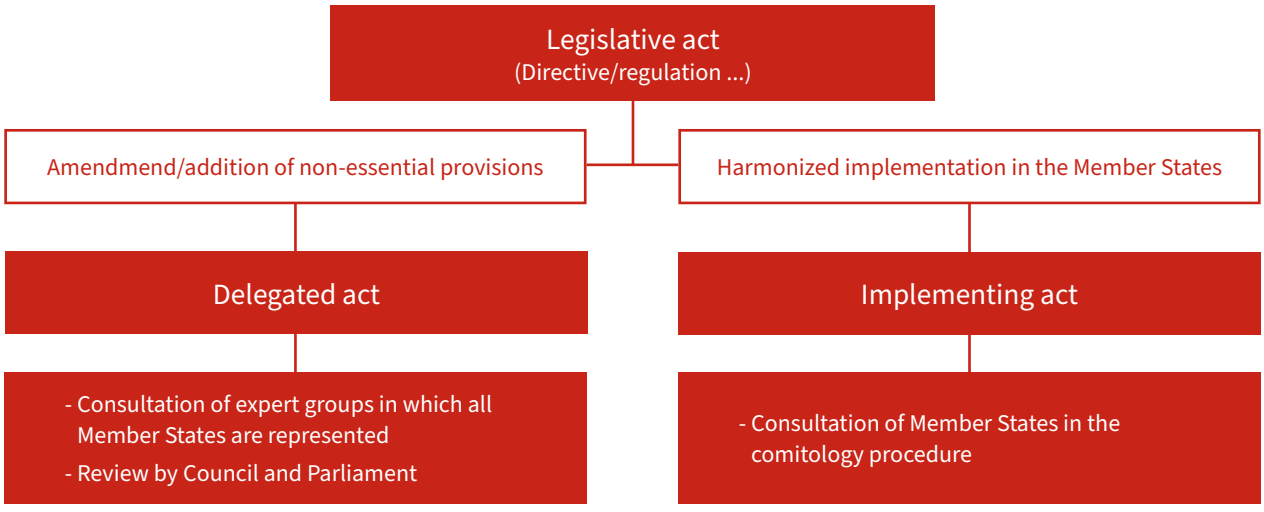
Legislative acts are acts adopted under the ordinary or special legislative procedure (Article 289 TFEU). Examples are directives and regulations. The 2009 Lisbon Treaty introduced delegated and implementing acts, which have the purpose of specifying legislative acts further after they have been adopted.

Delegated acts are passed by the European Commission and do not have the character of law. Their purpose is to amend or add non-essential provisions. They usually serve to adapt legislation to technical and scientific progress. This instrument is set out in Article 290 TFEU. Legislative acts may delegate the powers required for this purpose to the Commission; the European Parliament and the Council, however, have the power to revoke this delegation of powers. The following conditions also apply:

- The legislative act must specify the objectives, content, scope and duration (in most cases 5 years) of the delegation of powers.
- Delegated acts may not amend the essential elements of the basic act; delegation of powers for this purpose is explicitly excluded by 290 TFEU.
- Delegated acts must be generic in their application, i.e. they must not address specific situations.

Before the Commission passes a delegated act, groups of experts are consulted in which all Member States are represented. Once the Commission has passed the delegated act, the Parliament and the Council have two months in which to review it. Only if no objections are raised can the delegated act enter into force.

By contrast, **implementing acts** under Article 291 TFEU serve to establish harmonized rules for the implementation of legislative acts. The Member States are responsible for this implementation. In areas where harmonized conditions are required for the implementation of binding legislative acts (such as health, the Single Market), the right to pass implementing acts is conferred upon the Commis-



sion, or – in reasoned special cases – upon the Council. During drafting of implementing acts, a group of experts comprising representatives of the Member States is consulted (a procedure termed "comitology").

Real-case examples

A glance at the inter-institutional register of delegated acts[1] introduced in December 2017 shows that their use has long ceased to be an exception. The instrument first emerged within the framework of the Medical Devices Regulation[2]. For example, in order to assure the protection of users' safety and health and other aspects of public health, the Commission is empowered to use a delegated act to make amendments to Annex IV of the Regulation, i.e. to amend the minimum information required for the EU declaration of conformity.

The example of the Regulation on personal protective equipment (PPE Regulation)[3] shows that delegated acts permit a swifter and more flexible response to innovations, as they enable amendments to be made to non-essential aspects without the need for a lengthy legislative process. In the PPE Regulation, delegated acts may be used to amend the categories of hazards specified in Annex I against which PPE is intended to protect users, and to reclassify hazards. Prior to this, it would have been necessary to amend the PPE Directive by a legislative procedure. This resulted in Annex I not being updated for over 20 years.

In the case of the proposal for a regulation to recast the Machinery Directive[4], the envisaged delegated acts also simplify support of the Directive. In this case, the instrument has the purpose of adapting the list of high-risk machinery products set out in Annex I and the list of safety components set out in Annex II.

Delegated acts are to be used much more extensively in the recast of the Construction Products Regulation[5] currently under discussion, including in the area of product safety. Under Article 4 (3) of the proposed Regulation, the Commission is to be empowered to pass delegated acts specifying essential characteristics and assessment methods for certain product families and categories. This would enable it to support the Regulation with secondary regulations containing technical requirements. In the Commission's view, this is necessary where delays or shortcomings arise during the development of harmonized standards, or where standards are lacking entirely. The occupational safety and health lobby regards this as a problem, as it requires an additional step for product safety requirements to be specified in standards. Should the Commission fail to pass delegated acts on product safety, the relevant requirements of the Regulation are meaningless.

It remains to be seen to what extent the Commission will actually use the powers it has been granted to pass delegated acts. The standardization community should certainly continue to monitor this instrument, particularly with regard to the use of delegated acts to specify technical aspects. At the same time, however, this instrument presents an opportunity for changes to be made more swiftly and flexibly and account taken of technical and scientific progress.

Freeric Meier
meier@kan.de

Katharina Schulte
schulte@kan.de

1 https://webgate.ec.europa.eu/regdel/#/delegatedActs?lang=en
2 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R0745
3 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R0425
4 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0202
5 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022PC0144

Task and role of the German Product Safety Commission

The Product Safety Commission (AfPS) is a committee based at the German Federal Ministry of Labour and Social Affairs (BMAS). It owes its existence to Section 27 of the German Product Safety Act (ProdSG)[1]. Among its functions are identifying applicable standards in the non-harmonized scope and establishing framework conditions for awarding of the GS mark.

The AfPS primarily advises the German government on product safety issues. Its activities are not managed directly by the BMAS, but have been delegated to the German Federal Institute for Occupational Safety and Health (BAuA).

To equip it to fulfil its tasks suitably, the AfPS is composed of experts from the market surveillance authorities, the conformity assessment bodies, the German Social Accident Insurance Institutions, the German Institute for Standardization (DIN), the Commission for Occupational Health and Safety and Standardization (KAN), the employers' associations, the trade unions and other associations concerned, particularly those of manufacturers, distributors and consumers. Membership is exercised in a voluntary capacity, and the number of members should not exceed 21. The German federal ministries and the supreme regional authorities and higher federal authorities responsible for safety, health and the environment also have the right to be represented and have their views heard at meetings of the AfPS.

Identification of applicable standards and specifications

One of the AfPS's tasks is to identify applicable standards and other technical specifications in the non-harmonized scope. To this end, DIN regularly provides the AfPS with a list of new and revised standards, which is then presented to AfPS members. The members discuss the individual standards at a meeting and decide whether they are deemed identified as applicable or are to be put on hold, for example to clarify outstanding issues. The standards identified as applicable give rise to a presumption of conformity with the German Product Safety Act.

Furthermore, the commission identifies specifications that are to be applied during type examination for the purposes of awarding of the GS mark. It also issues recommendations regarding the suitability of a product for awarding of the GS mark, as some products (for example weapons) are not considered eligible for the mark.

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Criteria for the identification of applicable standards and specifications

The products affected by the standard or specification must fall within the scope of the ProdSG, and the standard (or specification) must be a product standard that supports the requirements of the ProdSG. It must not be a pure measurement or test standard, nor a generic safety standard.

The application of measurement and test standards can give rise to a presumption of conformity only if these standards are referred to in a product standard and application of the product standard itself already gives rise to the presumption of conformity. As a rule, generic safety standards do not specify the product-related safety provisions in sufficient detail to give rise to a presumption of conformity within the meaning of Section 5 (2) of the ProdSG.

During identification of applicable standards, it must be stated whether a public enquiry was followed during development of the standard and whether the document was then adopted by consensus.

If a standard that has already been identified as applicable is found not to cover the safety and health requirements under Section 3 (2) of the ProdSG, the market surveillance authorities and the AfPS members have the option of submitting a formal objection. The objection is then presented to the groups within the AfPS for consideration. Should agreement on the objection not be reached within the AfPS, a project group is set up to discuss the formal objection in detail. The result is then discussed in the AfPS.

Publication of lists of standards

The standards and specifications identified by the AfPS as applicable are published by the BAuA in a list[2]. This list comprises Parts 2-1 (national standards) and 2-2 (national technical specifications).

Only fully consensus-based standards that are part of the German body of standards, e.g. DIN, DIN EN, DIN EN ISO, DIN IEC, can be listed in Part 2-1 of the list of standards. Once listed, the standards give rise to a presumption of conformity.

Documents published in Part 2-2 of the list include DIN specifications and technical specifications of other rule-setting bodies. During the process for identification of the applicability of these specifications, the AfPS expects to receive information on successful completion of a public enquiry.

Documents in this list also give rise to a presumption of conformity once they are listed there, and are published on the BAuA website. To date, the AfPS has identified nine technical specifications on topics such as lasers serving as consumer products, adapters, office furniture and transport systems for precast concrete components.

The GS mark

In addition, the AfPS develops specifications that must be applied during type examination for awarding of the GS mark. To date, the following specifications have been published:

- GS PAH specification (polycyclic aromatic hydrocarbons)
- GS type examination specification
- GS school bag specification
- GS hair dryer specification

These technical specifications are being continuously adapted to technical progress.

The GS specification for polycyclic aromatic hydrocarbons (PAHs) developed by the AfPS sets out the requirements for type examination of products for PAHs as part of the process for awarding of the GS mark. It further describes the procedure for examination by the GS body and the content of the risk assessment, categorization, testing and evaluation, and also the maximum PAH content to be observed for materials used in relevant contact/gripping and actuation surfaces.

Since as yet, few requirements if any exist worldwide for the use of PAHs, this specification has been translated into English and is now used internationally.

Andreas Dlugi
Director of the AfPS
dlugi.andreas@baua.bund.de

[1] www.gesetze-im-internet.de/englisch_prodsg/index.html
[2] www.baua.de/EN/Tasks/Statutory-and-sovereign-tasks/Product-safety-act/Lists-of-standards.html

Limits of standardization: DIN 820-1 updated

The DIN 820 series of standards, Standardization, lays down all the essential rules under which standardization work is conducted in Germany. Following the latest revision, Part 1 now explicitly specifies what content and aspects should not be standardized.

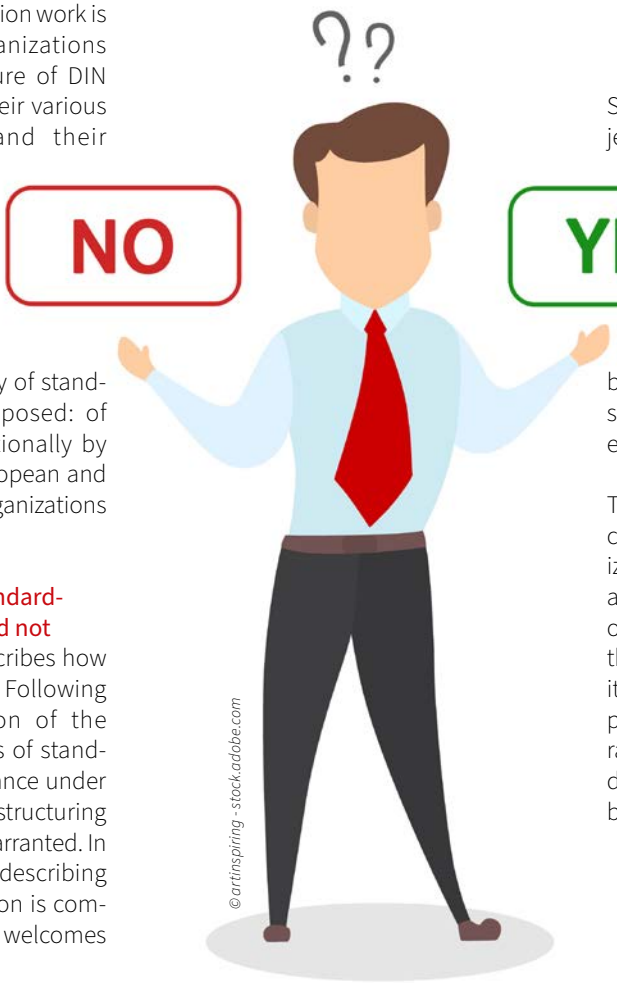
Standards in the DIN 820 series govern standardization itself. The series is therefore of great importance for standardization as a whole. DIN 820 encompasses a number of documents governing aspects such as the presentation of standards, terminology and the procedures followed during the development of standards. The standards committee responsible for development of the standardization rules is NAGLN, Principles of Standardization.

In particular, DIN 820-1, Standardization – Part 1: Principles, is probably unrivalled by any other standard in determining the work of German standards bodies. It was revised in the routine cycle between 2020 and 2022 and republished in November 2022. The standard explains, for example, how standardization work is organized with the organizations involved and the structure of DIN standards committees, their various working committees and their responsibilities. This includes provisions concerning the make-up of the committees and for the authorization of experts delegated to them. It also specifies how the German body of standards as a whole is composed: of standards developed nationally by DIN, and standards of European and international standards organizations adopted by DIN.

Topics that should be standardized and those that should not

Clause 7 of DIN 820-1 describes how standards are developed. Following an exhaustive discussion of the effects and consequences of standards, including their relevance under civil and criminal law, a restructuring of Clause 7 was deemed warranted. In particular, Sub-clause 7.2 describing the limits of standardization is completely new. KAN expressly welcomes this development, as the content and aspects suitable for standardization and those that should be excluded from it are now specified. The KAN Secretariat was extensively involved in the revision process with regard to its relevance to occupational safety and health, and submitted proposals regarding the content to the standards committee.

As a result, Clause 7 has been substantially restructured, and the limits of standardization are now stated in a second sub-clause at the beginning of the clause. Three areas in which standardization should not be conducted are now explicitly stated:



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- Legislation and political decisions by relevant institutions, whether at German regional or federal level, or that of the EU. Legislation always takes precedence over standards, as do the rules and regulations of chambers and self-governing bodies with a statutory mandate.
- Content that lies within the remit of the social partners in Germany. The basic right of collective bargaining autonomy under Article 9 (3) of the German Basic Law accords prominent regulatory competence to the social partners, which empowers them to assume certain labour and social policy functions autonomously.
- Standards must not define ethical values, but only their technical implementation, for example in relation to artificial intelligence. Standards must not address religious and ideological values at all.

Standards and standardization projects containing subject-matter such as these are not to be launched, nor is support to be given to such initiatives at the international level. Conflict with the above areas must also be ruled out in the development of standards whose scope does not explicitly include such content.

The recast of DIN 820-1 heralds a new chapter, at least for German standardization, since for the first time, standardization is now setting limits of its own within which it may operate in the future. However, since the majority of standardization work now takes place at European and international rather than national level, it would be desirable for these principles also to be established at those levels.

Freeric Meier
meier@kan.de

Three questions for: Benjamin Pfalz, Chair of KAN

Benjamin Pfalz is a trade union secretary at the department responsible for work organization and health protection within the executive management of IG Metall, the trade union of the German metal industry. He has been Chair of KAN since May 2022.

Mr Pfalz, how do you currently see the direction being taken by KAN, and where would you like it to be heading?

KAN has undergone significant developments in recent years. With adoption of development targets by the Executive Board, it has set itself a clear framework for development. Significant progress has been made: I'm thinking for example of the target of increasing involvement at European level. The opening of the Brussels office was certainly a milestone.

At the same time, it's important that we now build on this and expand our work at European level. This includes conceptual and strategic aspects. It won't be easy, but I'm confident that together with all of KAN's stakeholders, we'll find the right way forward.

In recent years, KAN has repeatedly shown itself to be capable of responding to changing conditions. One example is the approach taken to fast-track standardization documents, which we've become familiar with in formats such as DIN SPEC or VDE SPEC. Through KAN, it's been possible to establish a procedure jointly with DIN by which influence can also be exerted on these formats, and occupational safety and health interests thereby assured.

What topics do you particularly think we need to stay on top of?

Europeanization and internationalization of standardization activity will present us with huge challenges. Take for example the three EU regulations of major relevance for occupational safety and health that are currently on the agenda: artificial intelligence, machinery and construction products, all of them underpinned by standards which overlap with occupational safety and health.

Technological change driven by the digital transformation, and underlying conditions such as increasing climate change and the European Green Deal, will give rise to numerous topics that are of concern for KAN. This is already evident from developments in the area of these EU regulations. For example, we're currently taking a close look at the standardization in the sphere of highly automated, driverless mobile machinery – just one example among many. At the same time, familiar issues of product safety continue to be relevant for our work, for example in discussions of the quality requirements for ladders. As the occupational safety and health lobby, we must remain abreast of all these topics.

I think that this is also where the challenge lies of keeping KAN on the right course in view of the breadth of topics. We must critically monitor the standardization projects in progress and ensure that standardization does not chip away at the binding regulations of the state and the statutory accident insurance institutions, which assure the safety and health of workers at work.

We can conclude from this that the European arena is becoming increasingly important. What can the occupational safety and health lobby do to become even more effective in this arena?

KAN should continue to learn how to exert influence systematically and at decisive points. I'm thinking, for example, of the staff of the political groups in Brussels – the political advisors – who are often desperately looking for reliable external expertise. They are also the ones writing and coordinating the documents presented for discussion in the political groups. If we're able to channel KAN's knowledge to these people, we'll have succeeded in making our occupational safety and health concerns known in important quarters. We can achieve this only by systematically cultivating contacts in all political groups. Furthermore, as our trade union experience has shown, this is often more effective than seeking to influence individual members of parliament.

Dialogue between the stakeholders represented in KAN concerning the options for exerting influence at European level, through to specific forms of cooperation with the European associations of the social partners – at least where interests coincide – are in my view the promising approaches.

I'd like to make a clear plea for us all to summon up the courage to enter the fray and master the balancing act between the tried and tested and the new. Based on the solid foundation of our principles and in a consensus between the stakeholders, KAN is an effective platform for occupational safety and health.

Artificial intelligence meets occupational safety and health

Around 130 experts from the areas of occupational safety and health, research, standardization and regulation met on 20 October at the 7th EUROSHNET conference in Paris to discuss the challenges presented by artificial intelligence for occupational safety and health.

Artificial intelligence is already being used in numerous areas. These include transport and logistics, the industrial sector, agriculture, healthcare, human resources and insurance. What is still lacking, however, is a clear definition of artificial intelligence. Raja Chatila, Professor Emeritus of artificial intelligence, robotics and IT ethics at Sorbonne University in Paris, made the case for a definition broad enough to cover all current and future AI systems. At the same time, he pointed out the need for AI to be sufficiently narrowly defined to allow specific requirements for the systems to be formulated. Common to AI applications is that they process large volumes of data and use statistical models to draw logical conclusions from them. However, AI recognizes neither the quality nor the context of the data, and is often a "black box", with decision-making processes that human beings are unable to grasp.

What are the characteristics of good AI?

For artificial intelligence to meet with acceptance and be used responsibly, it must be trustworthy. A high-level expert group of the European Commission on the subject of AI has drawn up key requirements for the concept of AI's trustworthiness. These requirements include human beings remaining in control, systems being transparent, technically robust and secure, data protection being assured, discrimination and systematic errors being eliminated, and legal accountability being clarified. Raja Chatila further pointed out that AI cannot be considered in isolation, but must always be seen in the context of its application, i.e. the system in which it is used.

Using impressive examples, André Steimers, Professor at Koblenz University of Applied Sciences, showed how easily AI can reach the wrong conclusions. This may be due to the data being outdated or unrepresentative. In some cases, however, it may be very difficult or even impossible for humans to grasp why such errors arise. This raises questions regarding the reliability of a system and what level of automation is permissible, particularly in safety-critical scenarios.

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Sebastian Hallensleben, Chairman of the CEN-CENELEC Joint Technical Committee on Artificial Intelligence, brought home the important contribution that standardization can make for the trustworthiness of AI. He pointed out the need for an approach that is practicable both for industry and for regulators and consumers, and that makes various aspects comprehensible. One conceivable solution is a standardized label, similar to that for the energy efficiency of electrical appliances. The label would show at a glance what level of transparency, comprehensibility, data protection, fairness and reliability is provided by an AI product.

The need for a regulatory framework

For AI to be used safely, it is imperative that European regulation should keep pace with technological developments. Victoria Piedrafita, who holds responsibility for the proposed Machinery Regulation at the European Commission's Directorate-General GROW, explained how the proposal addresses AI and interacts with the AI Regulation. For example, all AI applications impacting upon safety-related functions are to be assigned to the highest risk category, for which certification by a notified body is mandatory. Attention must also be paid to hazards that arise only after the machines have been placed on the market, as a result of the machines developing further autonomously. If this aspect is not considered, the machines must not be placed on the market, as safety has top priority.

At present, it remains unclear to what extent the planned AI Regulation will apply to areas of application that impact upon the safety and health of workers at work or issues of collective bargaining autonomy. Antonio Aloisi of IE University Law School in Madrid showed that algorithms are now at least supporting humans and even replacing them altogether in many management tasks. Algorithms evaluate curricula vitae, issue work instructions, measure employees' performance and in some cases may even influence employee dismissals. However, as Aloisi points out, these developments are not yet sufficiently addressed by legislation, collective agreements or risk assessments. These regulatory loopholes must be closed urgently. Several papers also highlighted the importance of ensuring that the data are appropriate and balanced for the problem at hand. Automated decisions may otherwise be biased in favour of certain groups of people owing to their gender, age or skin colour.

How strict does regulation need to be?

In the concluding panel discussion, Isabelle Schömann (European Trade Union Confederation) cautioned against allowing AI applications to be introduced on a trial and error basis. European legislation clearly states that unsafe products are unacceptable. Jörg Firnkorn (DEKRA) advocated moderation: in his view, both over-regulation and under-regulation should be avoided; a calculated risk also opens up the opportunity to learn from mistakes and improve the technology. Franck Gambelli (French employers' association UIMM) drew a parallel with the increasing use of robots 30 years ago. This also initially raised serious concerns which, however, did not materialize. Gambelli considers it important that standardization should offer practicable tools for implementation. Christoph Preusse (German Social Accident Insurance Institution for the woodworking and metalworking industries/BGHM) pointed out that the activities of other countries are also relevant to Europe; China and the USA, for example, were seeking to develop international standards that will also impact upon issues of workplace organization. Companies with an international focus will not be willing to differentiate between different regions and modify their products accordingly.

Action rather than reaction

"Prevention means proactivity. As occupational safety and health experts, we can't afford to wait and see what happens, and then react," was how EUROSHNET Chair Pilar Cáceres Armendáriz of INSST, the Spanish Occupational Safety and Health Institute, summed up the situation in her concluding remarks. In her view, an important contribution of the conference was therefore that it had brought the various stakeholders into dialogue with one another in order to learn from each other and, together, explore how artificial intelligence could best be addressed in legislation and occupational safety and health.

Conference **photographs** and PDF files of all **papers** are available at www.euroshnet.eu/conference-2022.

Sonja Miesner
miesner@kan.de

Michael Robert
robert@kan.de

Vibration on pedelecs: a rocky road

An important step has been taken with the development of a vibration measurement method for use on pedelecs. Overall, however, the treatment of vibration in standards remains patchy.

Pedelecs have become an accepted means of transport. Vocational use is also steadily increasing, for example among bicycle courier services, the police and postal services. Workers in these and other occupational groups may spend many hours a day on pedelecs, and may ride them on unsurfaced roads and roads with cobblestone paving or damaged asphalt. As a result, vibration may be transmitted to the rider that is potentially hazardous to his or her health.

Pedelecs fall within the scope of the European Machinery Directive, which requires machines to be designed and manufactured such that risks caused by vibration are reduced. Manufacturers are also required to provide information on the vibration transmitted from the machine to the user. These two requirements should also be described in the relevant product standards; to date, however, this has not been the case for pedelecs. A recurring argument against vibration being addressed in these standards has been the lack of a standardized vibration measurement method for bicycles[1].

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The generic standard for pedelecs is the harmonized standard EN 15194:2017, Cycles – Electrically power assisted cycles – EPAC Bicycles. This standard governs pedelecs in general and can thus be referred to by standards governing more specific pedelecs. For example, EN 17404:2022 governing EPAC mountain bikes extends the basic standard. Following a comment by KAN, vibration was included in this standard as a potential hazard, but only for intensive vocational use. Beyond that, reference is made to the work currently in progress on the generic standard with regard to vibration, and its treatment is excluded from this standard. Following a KAN comment, the DIN 79010:2022 national standard concerning single-track and multi-track transportation bikes and cargo bikes also refers to the possible hazard posed by vibration. Broad instructions for determining and reducing the vibration occurring were added and information on the vibration was made a requirement. Work is currently underway on a European series of standards governing cargo bikes.

Generic standard to be adapted

In 2020, the Netherlands submitted a formal objection concerning EN 15194 with regard to the rechargeable batteries. KAN used the subsequent discussion of the standard as an opportunity to address the issue of vibration. The stakeholders agreed upon development of a measurement method and that vibration was to be addressed in the text of the standard. Until this takes place, a warning for inclusion in the EU Official Journal concerning EN 15194, which has also already been formulated, is intended to remove the presumption of conformity with the requirements concerning vibration. As yet however, the European Commission has not published this warning.

Amendments not sufficient

The vibration measurement method for bicycles was developed in the German mirror committee and is to be included in EN 15194 as an informative annex by way of amendment A2. During the public enquiry conducted in early 2022, KAN submitted a comment on this amendment, since it fails to include measures to reduce vibration and neither requires nor describes information on it. Moreover, an informative annex is not sufficient: the annex should be normative, so that manufacturers who declare that their pedelecs comply with the standard are required to apply the method described, and the vibration levels determined by it are then comparable.

The national and European comments resolution meeting has already taken place. Publication of the amendment is still pending. As things stand at present, vibration is to be included as a hazard; the other KAN comments however were not adopted. Even following the amendment, EN 15194 thus fails to support the relevant requirements of the Machinery Directive concerning vibration. This should be stated accordingly in Annex ZA, which describes the relationship between the European standard in question and the Machinery Directive. Should this not be the case, the warning that has been prepared still applies and should be published as soon as possible.

Dr Anna Dammann
dammann@kan.de

[1] See also KANBrief 1/20: www.kan.de/en/publications/kanbrief/transport-and-traffic/bad-vibes-on-the-pedelec

EU Standardisation Regulation is adapted

The European Council and the European Parliament have agreed upon adjustments to the EU Standardisation Regulation. The Standardisation Regulation lays down rules for the drafting of harmonized standards in the EU.

The adjustments particularly concern the following points:

- Only representatives of the national standards organizations are to be involved in decision-making processes concerning European standards and European standardization deliverables (the principle of national delegation is to be ensured throughout).
- The important role of stakeholders in the standardization process is reaffirmed (all stakeholders are ideally to be involved).
- The role of third countries in the decision-making process is clarified.

The provisional political agreement that has been reached has yet to be formally approved by the Council and the European Parliament. With respect to the Council, the agreement must first be approved by the ambassadors of the Member States before passing through the formal steps of the adoption process. The Regulation is to enter into force on the twentieth day after its publication in the Official Journal of the European Union.

Press release of the European Council: https://t1p.de/07fje

Update on the safety of treatment tables

On treatment tables with powered height adjustment, incidents in which persons become entrapped between structural elements of the table are not uncommon. In IFA Report 4/2022, the Institute for Occupational Safety and Health of the DGUV (IFA) presents a procedure for evaluating the efficacy of a safety measure in possible accident scenarios and hazardous situations. To facilitate application of the procedure, a detailed description and a series of examples are provided.

Further information for manufacturers and operators of treatment tables can be found on the website of the German Social Accident Insurance Institution for the health and welfare services (BGW). The information includes model risk assessments, a manufacturer's declaration for new and upgraded legacy treatment tables confirming that they comply with the recommendations of the German Federal Institute for Drugs and Medical Devices (BfArM), and a catalogue of frequently asked questions. Operators insured by the BGW may receive a grant for the upgrading of legacy treatment tables or procurement of new treatment tables featuring particularly good safety technology.

IFA Report: https://publikationen.dguv.de, webcode 22285 (in German)
BGW information: www.bgw-online.de/therapieliegen (in German)

KAN position paper on lighting updated

KAN has updated its position paper on the consideration of non-visual effects of lighting in standardization. The update was prompted by the revision of the DIN SPEC 67600 technical report, which was republished in August 2022 as Technical Specification DIN/TS 67600, Complementary criteria for lighting design and lighting application with regard to non-visual effects of light. The original document contained detailed planning recommendations concerning the non-visual effects of light, despite the scientific evidence available at this time not being adequate. The requirements also concerned the safety and health of workers at work.

These requirements, which were criticized by KAN, have now been reformulated as cause and effect relationships. The document no longer contains any requirements and in the view of the OSH lobby can therefore be used as a source of information.

Updated version of the KAN position paper:
https://t1p.de/KAN-Position-Lighting-2022

Publications

Artificial intelligence in company practice: getting started – the basics

A brochure published by the Confederation of German Employers' Associations (BDA) provides a summary of important aspects that companies must consider when introducing AI. What goals are pursued by a company when it introduces AI applications? How profitable is the use of an AI application, and for what processes? Are data of sufficient quality available with which an AI application can be trained and introduced? The brochure also provides information on the aspects that must be taken into account with regard to co-determination and data protection. Interviews provide insights into the use of AI in practice.

https://t1p.de/BDA-KI (in German)

Internet

Areas of EU law, explained succinctly and comprehensibly

On its website, the EU presents summaries of the most important EU legislation, i.e. directives, regulations and decisions, for more than 30 EU policy fields – ranging from A for agriculture to T for transport.

The clear explanations in the 24 official EU languages are intended for interested parties in the general public. Each explanation includes a link to the full, official version of the legal acts.

https://eur-lex.europa.eu/browse/summaries.html

Events

24.01.23 » Online

Webinar
Harmonized Healthcare Standards
CEN/CENELEC
www.cencenelec.eu 🔍 healthcare

25.-26.01.23 » Essen

Fachtagung
Arbeitsschutztagung
Haus der Technik
www.hdt.de/arbeitsschutztagung-h020011286

13.-14.02.2023 » Essen

Seminar
Ausbildung zum Sicherheitsbeauftragten
Haus der Technik
www.hdt.de/ausbildung-zum-sicherheitsbeauftragten-h020061598

01.-03.03.23 » Hannover

69. GfA-Frühjahrskongress 2023
Nachhaltig Arbeiten und Lernen
GfA e.V.
www.gesellschaft-fuer-arbeitswissenschaft.de

09.-10.03.23 » Friedrichshafen

Kongress und Fachausstellung
Tage der Ergonomie 2023
Ergonomie-Kompetenz-Netzwerk ECN e.V.
www.e-c-n.de/kongresse/tde2023.htm

30.-31.03.23 » Dresden

Fachveranstaltung
Sicher + gesund = nachhaltig!?
Die Zukunft der Arbeit
IAG
www.dguv.de/iag/veranstaltungen/zukunft-der-arbeit/2023

25.04.2023 » Essen

Seminar
Weiterbildung für Sicherheitsbeauftragte und Fachkräfte für Arbeitssicherheit
Haus der Technik
www.hdt.de 🔍 Sicherheitsbeauftragte

25.-26.04.23 » Online

Seminar
Basiswissen Normung
DIN-Akademie
www.beuth.de/de/online-seminar/basiswissen-normung/118163816

02.-03.05.23 » Essen

Seminar
Grundlagen der Maschinen- und Anlagensicherheit
Haus der Technik
www.hdt.de/grundlagen-der-maschinen-und-anlagensicherheit-h020027787

10.05.23 » Fellbach

Fachveranstaltung
Tag der Arbeitssicherheit
Landesverband Südwest der DGUV
www.dguv.de/landesverbaende/de/veranstaltungen/tag-der-arbeitssicherheit

15.-18.05.23 » Manchester

Conference
Inhaled particles and NanOEH Conference 2023
British Occupational Hygiene Society
www.bohs.org 🔍 NanOEH

24.-25.05.23 » Hamburg

Fachveranstaltung
Arbeitsschutz-Fachtagung
TÜV NORD Akademie
www-tuev-nord.de 🔍 Arbeitsschutzfachtagung

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Editorial team
Commission for Occupational Safety and Health and Standardization (KAN), Secretariat
Sonja Miesner, Michael Robert
Tel. +49 2241 231 3450 · www.kan.de · info@kan.de

Responsible
Angela Janowitz, Alte Heerstr. 111, D – 53757 Sankt Augustin

Translation
Marc Prior

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