



European Materials Handling Federation

FEM comments on the policy options post-OND evaluation

Brussels, 25 February 2021

FEM, the European Materials Handling Federation, would like to thank the European Commission for the opportunity to express its opinion regarding the two policy options under consideration: Delegated Act to amend Annex III or a revision of the Outdoor Noise Directive (OND) as a whole.

We are pleased that the overall assessment of the OND evaluation process is broadly positive across the five evaluation criteria, while identifying some gaps to be addressed to bring the Directive in line with current technological developments.

In terms of the two options put forward by the European Commission, materials handling manufacturers are supportive of the option of Delegated Acts empowering the European Commission to amend Annex III.

In general, we believe that the option of delegated acts would be a much quicker and easier way to revise the current OND preserving the outcomes of the Impact Assessment, rather than a full revision of the OND, considering that the minimum time to complete the legislative process is 18 months.

FEM is not supporting the full revision of the OND because its impact on manufacturers, which may include scope changes, the modification of measurement methods and/or review of noise limits, will be huge and disproportionate, potentially involving the redesign of equipment and renewal of the notified bodies' assessment. Furthermore, all equipment in new series as well as already existing and ongoing production programmes would require a new evaluation of noise emissions.

FEM acknowledges that operating conditions during tests (OND Annex III part B), for some material handling equipment in the scope of OND (see Annex A of this paper) do not represent how the machines are used and would need to be revised. Updating Annex III via delegated acts is therefore a reasonable way to achieve the adaptation of the operating conditions to technical progress, reflecting the actual usage.

The adoption of delegated acts to update Annex III would offer the opportunity to use the existing noise requirements in the European harmonised standards, already used for Machinery Directive (MD) compliance, to fulfil the OND requirements too.

Following this approach, a manageable effort by manufacturers is needed to modify various documents (e.g. sales brochures, instruction manuals), renew the notifications for EU noise database and put modified noise markings on the equipment. The appropriate measurements are already in place due to their relevance to the MD.



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We describe below some examples related to the material handling industry, including specific test codes in harmonised standards for each equipment.

MEWPS (aerial work platforms) - equipment definition (1) a) - under article 13

The change of the operating conditions to reflect the state of the art (i.e., the recently introduced noise test code in the type C harmonised standard EN 280-1, to be published in mid-2021, which covers both the sound pressure and sound power levels) will represent the MEWPs noise emissions more accurately and realistically than today, also achieving an alignment in the measurement procedures with the MD.

Industrial trucks (lift trucks) - equipment definition (36) a) and b)

With the option of delegated acts, industrial truck manufacturers would have the possibility to use the standard EN 12053:2001+A1 which is already applied to meet the requirements of the MD and covers both the sound pressure and sound power levels.

The Guaranteed Sound Power Level for article 12 and 13 lift trucks with the EN 12053 operating conditions will represent the actual contribution of industrial trucks to the outdoor noise under representative and practical use, which currently is overestimated due to the inaccurate operating conditions (when the manoeuvring part of the duty cycle is excluded) prescribed by the current OND.

In addition, different information about the guaranteed sound power level according to OND and MD will be removed.

Cranes and Lifting Equipment– equipment definition 38 and 53

Mobile cranes can refer to the noise test codes in type C harmonised standard EN 13000 and Tower cranes to EN 14439.

Where noise standards exist, all possible options foreseen in the standard shall apply: this standard allows both measurements and calculations in accordance with the MD 2006/42/EC to determine the sound pressure and sound power levels. In the case of small cranes, the cost of measurements is up to approximately 10% of the total value of the crane, depending on its size. Measuring each crane therefore leads to disproportionate efforts.

In conclusion, FEM would like to advocate the option of delegated acts to update Annex III, highlighting the following benefits as opposed to a full OND revision:

- Faster adoption of the amended Annex III
- No impact on current noise limits or change of the scope in a disproportionate or unjustified manner if a revision is pursued
- Opportunity to use specific European standards as measurement methods, also currently used for the MD.



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FEM would like to remark that only the reference to existing harmonised standards already used for MD compliance, will bring significant benefits to the industry and an unambiguous indication of the noise emissions for equipment on the market, because it will allow the manufacturers to comply with the requirements of both directives without duplicating the testing efforts.

Annex A – material handling equipment in scope of 2000/14/EC

- Aerial access platforms with combustion engines (1), acc. Article 13, marking only – (note that the specific name of this equipment is MEWP – Mobile Elevating Work Platform)
- Lift truck, combustion-engine driven, counterbalanced including rough terrain equipped with mast, telescopic arm or articulated arm (excluding trucks specifically constructed for container handling (36), as:
 - a) lift trucks, combustion-engine driven, counterbalanced (excluding ‘other counterbalanced lift trucks’ as defined in Annex I, item 36, second indent with a rated capacity of not more than 10 tonnes), acc. Article 12, limit values
 - b) lift trucks, combustion-engine driven, counterbalanced (only ‘other counterbalanced lift trucks’ as defined in Annex I, item 36, second indent, with a rated capacity of not more than 10 tonnes), acc. Article 13, marking only
- Mobile crane (38) and tower crane (53), acc. Article 12, limit values
- Construction winches (12), as:
 - a) combustion-engine driven, acc. Article 12, limit values and
 - b) with electric motor, acc. Article 13, marking only.