ESF, ETSA, Euratex, FESI and SME Safety
POSITION ON VALIDITY OF TEST REPORTS FOR THE ISSUING OF EU TYPE-EXAMINATION CERTIFICATES

8 March 2018

The European Coordination of Notified Bodies in the field of Personal Protective Equipment has proposed 57 new 'Recommendations for Use' (RfU) sheets in support of the PPE Regulation (EU) 2016/425. RfU are technical sheets for coordination of a common position of the Notified Bodies on PPE regulatory issues. Upon approval by the PPE Working Group, RfUs are published on the European Commission website.

In preparation to the upcoming PPE Working Group, the industry representatives (ESF, ETSA, Euratex, FESI and SME Safety) would like to express comments on the draft RfU PPE-R/00.057. Such RfU is about the validity duration of test reports. The document aims at clarifying the maximum time from the date of issuing of a test report for its use in a new EU type-examination certificate, proposing the following solution:

Question:
Which would be the maximum time from date of issue of a test report to be useful for a new EU type-examination?
Solution:
No more than five years

The industry representatives are seriously concerned that limiting the duration of tests validity will cause unnecessary costs for manufacturers, with SMEs clearly most impacted, while not having an actual positive impact on the safety of products. It should be noted that the PPE Regulation introduced a limit of 5 years to the validity of EU type-examination certificates. However, this does not in any way affect the limit of validity of test reports, whose maximum time of validity is not defined by the PPE Regulation. It is clear that if the product has not been changed by the manufacturer and if the relevant requirements in the applicable standards have not changed, test reports shall remain valid. In the Regulation, a simplified procedure for renewal of certificates in those cases is foreseen. However, if Notified Bodies consider the test reports used for the original certification no longer to be valid (as 5 years old), they could use this RfU as a way to refuse the application of the simplified procedure. This would be against the intention of the regulators to avoid unnecessary costs for manufacturers and thus indirectly for users of PPE.

Furthermore, the industry representatives note that this proposal (RfU PPE-R/00.057) does not consider the agreement on the minimum time for validity of test reports that was reached by the Notified Bodies in Vertical Group 5 at their meeting in May 2015 and made explicit in the RfU 05.30-003 r1 (see Annex). Too frequent

repetition of testing and renewal of certifications would imply bottlenecks at Notified Bodies, consequently causing shortages of certified products that could have been made available on the market, to the detriment of both manufacturers and users.

The need of harmonized practices on time validity of test reports is of most importance for the industry. That is the reason why ESF, ETSA, Euratex, FESI and SME Safety propose the following wording for PPE-R/00.057 in order to be in line with what was previously agreed:

Question:
Which would be the maximum time from date of issue of a test report to be useful for a new EU type-examination?
Solution:
A maximum time limit for the validity of a test report cannot be defined. Test reports are valid for at least 5 years from the date of their issuing. Following this 5 years period, test reports can only be deemed invalid if the manufacturer has modified the approved type or the tested part used in the PPE, or the reference standards have changed in a way that they don't meet any longer the essential health and safety requirements.

The industry representatives believe that this proposal reflects the spirit of the PPE Regulation to avoid unnecessary additional tests or examinations which would have the only effect of creating unnecessary burden and increasing costs of certification.

In addition, it is undoubtedly a matter of great importance for the industry, especially form the point of view of the SME manufacturers, since they need harmonized practices throughout the European market and consistency in the several RfUs.

	CO-ORDINATION OF NOTIFIED BODIES **PPE-Directive 89/686/EEC + amendments** **RECOMMENDATION FOR USE**	CNB/P/05.30-003 Revision 01 Language: E **30-003 r1**

Number of pages : 1	Date : **12/05/2015**	Approval by :	Approved on :
Origin : Euratex		➢ Vertical Group ..... ☐ Horizontal Committee ..... ☐ Standing Committee	.....19/05/2015 ....

Question related to :		EN/prEN :	Other :
Annex :	Article :	Clause :	

Key words : Validity test reports

Question :

The acceptance of test reports for EC Type-Examination is treated differently by Notified Bodies, is it possible to come to a consensus that all NB's use the same approach ?

Recommended solution :

Yes.

The acceptance of test reports for EC Type-Examination is the responsibility of the Notified Body. Article 10 of the PPE Directive states: *"It shall conduct the necessary examinations and tests to establish the conformity of the model…"*

In cases where the Notified Body accepts test reports only until a certain date, such date should be not less than 5 years.

The Notified Body may also require verification testing of materials.

Sent for information to :	Comments received from :
☑ members of the VG ☐ other(s) VG ☑ HC (2) ☐ TC (3) ☐ SC (4) ☑ other (5) (EURATEX)	☐ members of the VG ☐ other(s) VG ☐ HC (2) ☐ TC (3) ☐ SC (4) ☐ other (5)

(1) Essential safety requirement
(2) HC = horizontal committee
(3) N° of CEN/TC (Secretary & Chairman)
(4) EEC Standing Committee 89/392
(5) To be specified