



## **CPA Safety Guidance**

### **Standards for 'Grey Import' Excavators**

This guidance is based on guidance and advice given by the HSE to their inspectors on the controversial issue of “grey import” excavators coming from the Far East. We are reproducing this advice, (apart from a few changes to the clarify the meaning,) to help members understand the standards that the inspectors look for when inspecting any excavators imported from outside the EU, in particular those that do not meet EEC requirements.

#### **Introduction**

There is concern in the UK about the safety of machines manufactured in, and imported from the Far East, that were not originally designed and constructed to meet European standards. These machines, most of which are excavators, should meet the same essential health and safety requirements (EHSRs) as any other machine under the Supply of Machinery (Safety) Regulations 1992 (SM(S)R).

Under SM(S)R all new excavators are presumed to comply with the EHSRs if they have been made to the European Standards BS EN 474 parts 1 and 5 or equivalent standards, and are safe to use. The design and material specification for the machine has to be kept in a technical file that is normally held by the manufacturer, and is required by whoever carries out the conformity examination.

In order to meet the standards of safety under SM(S)R, the Provision and Use of Work Equipment Regulations 1998, and the Noise at Work Regulations 1989, machines must comply with the following requirements:

- (1) All excavators should be supplied with operator and routine maintenance instructions in English. Operating instructions are needed for routine maintenance, and the operation of any bucket quick-hitch attachment on the excavator. All written directions in the cab must also be in English.
- (2) Controls must be appropriately marked to indicate their function and mode of operation, and must be positioned, and protected so that the desired effect, where a risk is involved, cannot occur without intentional operation.

- (3) Any excavator that can lift loads in excess of one tonne, and has a lifting attachment such as a hook or lifting ring fitted to the boom or bucket must:
  - (a) have a rated capacity indicator fitted to it, providing visual warning to the driver before the safe working load (SWL) is reached, with both visual and audible warning to the driver and anyone else in the vicinity of the machine, when the SWL is reached;
  - (b) have provision for switching off the indicator when the machine is operating in the excavator mode;
  - (c) be clearly marked with their SWL (eg 2 tonne). This marking should be clearly visible to the operator and be positioned either on the boom or in the operator's cab.

(A noise decal is required by the Noise at Work Regulations 1989).

Excavators which can lift loads greater than one tonne should be fitted with check valves on the main boom support cylinder(s). The purpose of the check valve(s) is to retain hydraulic pressure in the support cylinder(s) should leakage occur in the hydraulic system; eg due to hose or valve failure.

Visibility aids must be fitted to the machine if it is likely to have to reverse periodically, and the driver has a restricted field of vision from his cab to the rear of the machine.

Modern non-compact excavators (ie excavators weighing greater than 6,000 kg unladen) need well padded seats and are often fitted with suspension seats to meet the vibration requirements of BS EN 474-5. Poorly padded seats are unlikely to meet the same vibration requirements. The manufacturer should be able to supply information for use to justify the vibration levels associated with the seat.

Non-compact excavators supplied in the UK are normally required to have access steps and hand rails to assist operators to get into and out of the cab. These features are required to be designed to appropriate standards to make them robust and easy to use. Flimsy or awkward to use access features could indicate that the excavator does not meet the EHSRs and information would need to be obtained from the manufacturer on the standards of construction used.

A key lock starter is normal on excavators to prevent unauthorised start-up, and for security reasons.

### **Declaration of Conformity**

New excavators supplied under SM(S)R are required to be CE marked, have a declaration of conformity, be supplied with instructions for use, and fitted with a range safety features. Grey

imports may look similar to other machines but information on their construction, use and maintenance may not be made available by the manufacturer to others.

A declaration of conformity is required to be supplied with the machine in accordance with SM(S)R, regulation 12(c)(i). This does not have to be kept with the machine on site, but it should be retained by the purchaser.

The declaration of conformity should refer to the relevant standards used in the construction of the excavator and be capable of being cross-referenced with other design information. It is of value because it may be used to compare design standards with the guidance given in BS EN 474 parts 1 and 5.

The manufacturer does not have to use the European Standards, whose use is voluntary, but may instead satisfy the relevant EHSRs.

### **CE Mark**

The CE marking is required to be fixed to the excavator in accordance with SM(S)R, regulation 12(d).

The lack of a CE marking, or an inappropriate CE mark, would indicate that the excavator had not been made to SM(S)R. It would not necessarily indicate that the excavator was unsafe but it increases the likelihood, and information may be required to justify any claim that the machine meets the EHSRs and is safe to use.

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