



Brussels, 17 June 2025
GROW.H.2/PB

8th meeting of the Commission Expert Group on Machinery

11 April 2025, 9:30 – 17:30, CCAB Brussels (room AB-0D)

DRAFT meeting minutes

Documents can be downloaded from the CIRCABC group “Commission Expert Group on Machinery (E03676)” <https://circabc.europa.eu/ui/group/126cd31c-cf60-47b6-8f9c-5ab34b6d4b2f/library/94791da7-0aa3-4734-a8cb-e32cf4a91cf1>

1. Approval of the draft Agenda

The chairman opened the meeting and welcomed everyone. The agenda had been updated several times and made available via CIRCABC. Certain items of the agenda were updated as explained, namely item 3.1 would also cover an update about the Standardisation Requests, items 4.1 and 4.2 were merged into a single item, and 11.1 was slightly renamed to cover the topic more broadly.

On request of CEMA, an additional point was added under item 11. AOB concerning front loaders.

2. Approval of the minutes of the 7th MEG meeting

The chairman noted that a few comments were received from Austria. COM also made a few small corrections. The updated version in tracked changes had been published CIRCABC before the meeting. The minutes of the 7th meeting were subsequently approved.

3. New Machinery Regulation (EU) 2023/1230

1. Update about the standardisation request and the meeting held with Member State representatives and national authorities on the collection of machinery-related accident data.

COM gave an update regarding the new Machinery Regulation, notably that its new standardisation request was adopted on 20 January 2025. It covers Artificial Intelligence (AI) powered safety features, building on horizontal standards that will be developed under the AI Act, with a same approach for cyber-safety under the new Cyber Resilience Act. Moreover, the standardisation request requires new harmonised standards to be inclusive and consider persons with special needs, where possible. It also considers machinery that has a dual-use in terms of military and defence-related applications. As for next steps, the deadline for high-priority standardisation deliverables is 20 January 2026, and the mandate stays valid 2034 to address technological progress.

Germany asked for an explanation on the point of defence-related machinery, given that military machinery is excluded from the scope of the Machinery Directive and Regulation. COM clarified that the key is their dual use, namely it being ordinary civilian-use machinery, but also used by the military. Although the military domain is indeed not regulated, machinery manufacturers could benefit from coherent standardisation deliverables that can be used in both ordinary as well as the military context.

ETUI posed a question about the inclusivity of standards, asking if it has certain boundary conditions. COM explained that it depends on the state of the art, reasonability and the position of the standardisation community. It should be taken on board where possible and as appropriate.

Regarding the new Machinery Regulation, and its Annex I, it was explained that lists A and B are subjects to updating by COM on the basis on accident data provided by Member States. That data is required to be submitted to COM by 20 July 2025, and every 5 years thereafter. Once submitted, COM has one further year to analyse the data and propose amendments to Annex I, as necessary. A template with guidance has been issued by COM, and Member State accident data experts have met on 24 January 2025 to discuss and exchange experiences and best practices, with a follow-up meeting already planned as well.

2. Update about the preparatory meeting for setting up the Editorial Group to draft the Guide to application of the new Machinery Regulation, held with Member State representatives and market surveillance authorities, and next steps

The Secretary of the Editorial Group for Machinery explained that two preparatory meetings were held on 28 January and 4 April 2025. The next session is scheduled for 17 June 2025. The call for expression of interest was sent out in late March, with the invitation to stakeholders to become members of sub-groups of the main Editorial Group, which will be responsible for preparing detailed contributions for updating the Guide. The call had an

initial deadline of 25 April 2025, but remains open to new applicants. The main Editorial Group is to receive document proposals from the various sub-groups. When approved, the documents will be submitted to the MEG for final endorsement. He added that the leaders of sub-groups will decide how and when they will meet, envisioned to be mostly online, but considering also possible face-to-face meetings. It was recalled that the revised Guide should be ready by the application date of the Machinery Regulation, on 20 January 2027, but preferably earlier.

EUnited appreciated the proposed timeline of the revised Guide. They asked how proposals for content of the Guide should be submitted. The Secretary of the Editorial Group replied that any proposals can be made for any topic needing improvement. He specified that the sub-groups will deal with either generic or specific items, as appropriate.

CEMA also appreciated the timing, but noted that the Guide will also be useful to experts working in the meantime on the amendments and revisions of certain relevant standards. COM confirmed that once certain sections are agreed, they could be made available immediately.

The Secretary of the Editorial Group noted that applications for the sub-groups and the determination of its leadership was still ongoing, although it was generally agreed that France would likely be in charge of the sub-group dealing with mobile machinery, and the Netherlands of the sub-group dealing with general NLF and substantial modification matters.

CEMA asked whether it is acknowledged that the purpose of the Guide is to provide clarification of what is written in the Machinery Regulation, but not to go beyond the legislation. COM confirmed this and explained that the aim is to try and clarify issues by giving examples and best practices, but not by providing binding interpretations, which is up to the Court of Justice.

4. New Regulation (EU) 2025/14 on approval and market surveillance of non-road machinery circulating on public roads

COM gave a brief overview about the new legislation and outlined the next steps. Mobile machinery circulating on public roads are first and foremost machinery, designed and constructed specifically to perform work, and not designed for carrying passengers or goods. COM provided an overview of the legal framework of the legislation, underlining how mobile machinery was subject to the 27 national regimes, instead of a single EU act with harmonised road safety-related rules. Being machinery, in principle, mobile machinery is covered by the existing machinery legislation, including in parallel other applicable legislation, i.a. on tailpipe emissions from non-road mobile machinery. The new legislation entered into force on 28 January 2025 and will now need to be implemented with detailed technical type-approval requirements. This will be done through new secondary legislation aiming to minimise risk of injury to road users and damage to road infrastructure, when such mobile machinery is circulating on public roads. The technical

requirements will include provisions for e.g. vehicle structure integrity, design speed and speedometer, braking devices, steering, field of vision, and masses and dimensions. The technical requirements should take into account synergies between the machinery function and the on-road use function of the mobile machinery, and cover mobile machinery produced in series, or on individual basis. The deadline for the adoption of delegated acts is 29 January 2027.

The on-road circulation and registration of certain mobile machinery may be limited due to excessive dimensions, mass, axle loads or ground contact pressure. For this reason, following extensive negotiations between the European Parliament and Member States in the Council, the Commission is empowered to adopt implementing acts setting out those threshold values. In addition, templates for various administrative purposes (e.g. information document, certificates, reports, statutory markings, data exchange protocols) should also be included in implementing acts. The deadline for the adoption of the implementing acts is 29 July 2027.

The potential future technical requirements as well as the indicated threshold values have been reviewed and addressed in a study prepared on behalf of the Commission (<https://data.europa.eu/doi/10.2873/217745>). Draft provisions are notably included in the technical annexes to the study's Appendix E, and were developed on the basis of analysis carried out by the contractor, in close consultation with mobile machinery industry and other stakeholders, as well as COM. In order to discuss a first working document at the end of the year, the relevant Expert Group is subject of identification and adaptation, as necessary.

CECE asked if there was a concrete date planned for the Expert Group, but COM explained it was still subject to discussions. CECE also asked if they could provide further observations on the potential technical requirements in the report, which was welcomed by COM. Finally, CECE inquired about any updates relevant for mobile machinery under Type-Approval Regulation (EU) 2018/858. COM replied that there is work envisioned to include towed mobile machinery, as special purpose trailers, in that regulation. No special or dedicated working groups are envisioned at this stage.

5. Standardisation activities

The Commission shared the good news that the new Standardisation Request M/605 was adopted last January, and that it had been accepted by CEN-CENELEC.

1. Update from CEN-CENELEC

The CEN-CENELEC Sector Rapporteur provided an in-depth overview of the overall situation in the sector and notably on the new and modified existing essential health and safety requirements as part of the new Machinery Regulation. He also noted the current challenges as regards the citation of EN ISO standards in the Official Journal, following

the judgment of the Court of Justice¹, and described this as a critical issue that should be central to attention in the upcoming months. He concluded on the ongoing discussion with COM to amend the current format of Annex Z to exhaustively list all essential health and safety requirements, instead of only relevant ones, and noted that the Technical Committees (TCs) may need to reconsider how to draft the future standards.

Italy intervened on CEN-CENELEC's reflection on the foreseen new way of drafting standards, and recalled that TCs and Working Groups (WGs) used to considering machinery purely from the perspective of risk analysis, to later having to complete the Annex Z structure. He expected that it could pose certain challenges for the groups. He further inquired about the court case and whether it would continue to slow down citation of upcoming A and B standards.

CEN-CENELEC replied that most A and B standards were born as EN standards and later exported to IEC and ISO. He added that from March 2024 onward they did not offer any standards for citation because of the copyright issues. In October 2024 they restarted offering homegrown EN standards, because some publication solutions were found on the national level, but for EN ISO and IEC the copyright issues remained. Although such standards were recently offered for citation, the situation did not appear to have been resolved fully. A majority of machinery A and B standards are EN ISO ones, and it is still unsure what will happen in the future, even for old standards that are already cited.

ETUI asked about the consequences when there are normative references to ISO standards. CEN-CENELEC replied that normally, but to be confirmed, it should not be a problem for the C standard itself, because they can also refer to non-harmonised standards.

ANEC wanted to know how new essential health and safety requirements are going to be dealt with, notably because there appears to be confusion on the role of hardware or software. Further, how are the links organised on AI- and Cyber-risks with other existing TCs developing standards under the other relevant legislation, in order to avoid gaps.

CEN-CENELEC answered that the new requirement 1.1.9. on protection against corruption is connected to cyber-resilience and the current plan is to develop a B-type standard, supposed to serve as first point of reference. It would be slightly more conservative than a standard that covers a specific product, where a more specific solution might be provided. He also noted that other new requirements are being addressed by various TCs. For mobile machinery specifically, there seems to be more being addressed directly on C-type standards level. As regards AI, he was not aware of machinery TCs trying to address this matter specifically. It could also be linked to the situation that AI-based safety systems do not appear to be employed in many machines.

CECE wondered about the citation of harmonised standards, and in particular if there are any updates on the status and next steps, specifically for the Machinery Regulation. COM

¹ Judgment of the Court of Justice (Grand Chamber) of 5 March 2024, *Public.Resource.Org Inc., Right to Know CLG v European Commission and Others*, C-588/21 P, EU:C:2024:201.

clarified that in principle standards can be published provided they comply with all the legal requirements, however, since the earlier mentioned court case is an horizontal issue, no further details could be given.

ETUC asked if there is any information on the timelines of other ongoing court cases and whether there is a “plan B” in case no solution would be found. COM stated that the timeline is in the hands of the court. As for the “plan B”, no comments could be provided.

2. Status of publication of the references in the Official Journal

Orgalim asked if COM plans to publish Machinery Directive and Machinery Regulation lists in parallel until Machinery Directive repeal. COM clarified that this would be the case, to address necessary updates, but also corrections or formal objections. COM also noted that there were no publications since last meeting in October, but a new one is in the preparatory phase.

EUnited, speaking as a CEN TC chairman, noted that certain Annex I Part B products may not be fully covered by harmonised standards, due to standardisation or publication delays, and asked if there would then be an exemption for the required third-party certification. COM explained that it would in such a case not be legally possible to avoid mandatory third-party assessment. COM hoped indeed that all necessary harmonised standards could be finalised on time.

3. Importance of Cyber-safety and contributions from the machinery sector to the standardisation process

Pilz GmbH & Co. KG gave a comprehensive presentation on the importance of Cyber-safety in digital automation, based on an actual cyber attack experienced by their family owned company. The severe consequences that they suffered, later served as inspiration to develop new cyber-safe products.

6. Formal objections to harmonised standards

1. Update on Formal Objection on EN 50434:2014 – “Safety of household and similar appliances – Particular requirements for mains operated shredders and chippers”

On 27 September 2023 the Commission has notified the Formal Objection raised by Germany on EN 50434:2014 as regards shredders and chippers. Since then, the topic has been discussed in MEG on several occasions. Germany asks that EN 50434:2014 is deleted from the list of harmonised standards as listed in the Official Journal. After extensive consultation with all parties involved, COM decided to go ahead with a Commission Implementing Decision, however, not to withdraw the reference to the standard from the Official Journal, but to publish it with a restriction concerning risk of ejection of objects.

Germany appreciated the proposed solution and confirmed their interest for a bilateral meeting to finalise the wording.

2. Update on Formal Objection against EN 60335-1:2012 “Household and similar electrical appliances – Safety – Part 1: General requirements” (as corrected and amended by EN 60335-1:2012/AC:2014, EN 60335-1:2012/A11:2014, EN 60335-1:2012/A13:2017 and EN 60335-1:2012/A15:2021)

On 27 September 2023 a further Formal Objection from Germany was notified concerning electrical appliances in general. It was requested to add a restriction concerning risk of contact by hand, with moving parts. There have been extensive technical discussions in MEG meetings as well as bilateral meetings. COM has decided not to actively follow up on this Formal Objection at this stage, due to conflicting information and the lack of up-to-date anthropometric data including hands and fingers. This is in particular in view of an ongoing exercise by the standardisation community, working on up-to-date datasets concerning EU anthropometric data. COM reported on a study conducted on behalf of the machinery and equipment unit, where around 300 standards were screened, and this resulted in the knowledge that most of the standards are not based on up-to-date anthropometric data. An up-to-date database is deemed essential and the team is therefore running a feasibility study with standardisers, statisticians, experts in anthropometrics and ergonomists, so that, by the end of 2025, they should come up with different options on how to collect data and the associated costs for each option.

Germany indicated that they could accept postponing the decision and asked where to find additional information on the studies. The study on inclusiveness of anthropometrics in European harmonised standards is made available by the EU publications office: <https://op.europa.eu/s/z5BR>. The feasibility study is expected to be finalised and published by the end of the year.

7. Market surveillance activities

The chairman of the Administrative Cooperation Group on Machinery reported on the work programme of the AdCo Machinery 2025-202, including various joint actions covering scissor lifts, circular saws, chainsaws, and handheld lasers. There has not been an AdCo Machinery meeting since the last MEG meeting. He announced that the next meeting would be held online on 8 May, and a two-day physical meeting is to be held on 8 and 9 October 2025.

ETUI asked how any completed reports on market surveillance joint actions could be accessed. It was explained that the information could be found on the “JAHARP” website².

8. Notified bodies’ activities

The technical secretariat to the European Coordination Group of Notified Bodies for the Machinery Directive presented the report on the main activities of the coordination group.

² <https://prosafe.org/index.php/en/e-library/publications>

There are 13 Vertical Groups, and Vertical Group 10 has been disbanded. Horizontal recommendations are of the Committee, vertical recommendations are of the Vertical Groups. There is a Working Group on AI-powered safety features, to be discussed at the next meetings in June. Other items under discussion relate to the validity of type-examination certificates issued under the Machinery Directive, beyond 20 January 2027.

9. Common position of Notified Bodies on the Recommendations for Use

The editorial corrections to Recommendation for Use (RfU) CNB/M/06.051 were explained. ETUI noted that the document should, in addition, specify standards that are relevant for the mentioned electro-sensitive protective device. For instance, in some cases, workers were required to wear special ‘detectable’ clothing or lanyard connectors, for operation. He was interested to know if the systems in questions would use alternative means of detection and which standards would then apply. COM noted that these useful improvements could indeed be considered for an upcoming revision. The guest speaker from Pilz GmbH & Co. KG suggested that standard IEC 61496 series should be consulted for such safety applications. The chairman of CEN TC 183 invited relevant comments for improvements to be shared directly with them, as they are currently working on the relevant standards. When standards are improved at the source, no RfUs would be necessary. The AdCo machinery chairman appreciated the integrated corrections and revisions, and accepted the RfU. It was subsequently considered as endorsed by the Expert Group.

COM reminded that the previous batch of RfUs had been published on the Europa website on machinery sector.

IE asked if it is envisioned that there will be two different notified bodies for Machinery and AI topics, and how machinery would comply with the requirements of both the Machinery Regulation and the AI Act. COM explained that Notified Bodies are very active on this issue, but that the work is still ongoing and no definitive reply can be given yet. The technical secretariat of the Coordination Group further clarified that a special dedicated Working Group has been set up and to deal with those new elements. This can result in either a new Vertical Group or new tasks for an existing Vertical Group (in that case VG11) to be decided at the June meeting of the Coordination Group.

10. Questions and discussion on standards

This agenda item was not discussed.

11. Any other business

1. Contact with overhead power lines

Orgalim presented their document explaining the situation for certain mobile machinery for which no readily available technical solution exists, at this stage.

Germany responded that although the concerns were understood, it would not be possible for MEG to endorse a certain state of the art, in particular due to technological progress that will occur. COM confirmed this position, and added that the document was useful for the discussion and general knowledge.

FEM presented the position paper drafted together with CECE and CEMA, in which concerns are expressed in terms of the current state of the art for certain technical protective measures, which appear to be demanded by the new Machinery Regulation. They added that COM had previously clarified that, as regards essential health and safety requirement 3.5.4. on risk of contact with overhead powerlines, it should not be interpreted in isolation from the Machinery Regulation's general principle (in point 3) clarifying that although essential health and safety requirements laid down in Annex III are mandatory, taking into account the state of the art, it may not be possible to meet the objectives set by them. In that event, the machinery or related product shall, as far as possible, be designed and constructed with the purpose of approaching those objectives, and this would also be relevant when a technical solution to solve an issue would not be readily available.

ETUI supported FEM's position. They added that the reason why this issue originally came up was not linked to construction equipment, but rather agricultural equipment and sprayers with spray booms, and specifically their folding height, as there were many fatal accidents with agricultural machines hitting high voltage lines. Therefore, even if there are no useful solutions for construction equipment, there are for certain agricultural equipment.

France explained that there was no clear requirement on this risk in the Machinery Directive. The way how manufacturers will come to manage it, should be discussed and examined carefully. Some innovations deployed by manufacturers on different types of machinery could be used as solutions, but not necessarily on all mobile machinery. For some categories of machines it would be possible to minimise the risk and this should be further researched.

CEMA argued that sprayers were one agricultural machinery for which there was discussion to limit height of booms by imposing horizontal folding instead of vertical folding. Unfortunately, the state of the art in standards would only offer limited solutions. Therefore CEMA is in favour to further discuss the matter.

Orgalim supported the various statements made and noted that technological solutions should be actually available on the market, not just be identified as potential solution.

CEM asked if MEG could take a position on the paper, but Germany, and Netherlands explained that this should not be the case, which COM confirmed.

CECE asked if the item would be put on the agenda of the next meeting for further technical discussion, however, the chairman suggested that a further discussion might not have added value, as a way forward is identified and the legislation itself cannot be rewritten.

The chairman concluded that thanks to the paper, there is a much better common understanding of the matter.

2. Follow-up on the discussion on the application of the Artificial Intelligence Regulation

COM gave an update on the issue of the interaction between the Machinery Regulation and the Artificial Intelligence Act. This matter was discussed at the previous MEG, and the discussion focused on the concept of ‘high risk’, set out in Article 6 of the AI Act, and on whether any of the machinery products under the Machinery Regulation are classified as high risk. Following internal assessments, COM found that AI elements of machinery products have to be considered high-risk when they are subject to mandatory third party certification under Machinery Regulation Annex I Part A, based on the wording of items 5 and 6. Some questions remain open for the time being and notably when they are linked to other legislation, for example when mandatory third-party assessment would only follow due to non-availability of non-application of all relevant harmonised standards. Such issues will have to be analysed horizontally because they could affect other legislative acts. Regarding the AI Act, COM confirmed the intention to prepare a horizontally uniform guidance document, by February 2026.

CEMA pointed out that, in their view, the wording in the Machinery Regulation, “self-evolving behaviour”, is not synonymous for AI, and indicated that self-evolving behaviour is a sub-part of AI, namely the part that continues to learn after being put in service. If it was considered AI, that should have been the wording used in the Machinery Regulation. COM explained that having specific wording one piece of legislation, does not necessarily mean that it has to be the same other legislation. AI is a very wide concept in the AI Act. It is not deemed necessary for the Machinery Regulation to explicitly mention the wording “AI” as a prerequisite for a feature to be considered as AI. The concepts of self-evolving behaviour (embedded or as safety component) are new concepts in the Machinery Regulation to take into account AI based software, currently not covered by the Directive. CEMA replied that this would mean that any AI system, even the most basic deterministic ones, would have to be submitted to third party validation if they ensure a safety function. This was seen as nonsense. Instead, when systems using machine learning and making their own decisions that cannot be predicted, it was seen as appropriate to cover them. COM confirmed that the point is whether the action or reaction of a machine is predictable or not. If it’s not predictable, it should be considered an AI-powered safety feature. Further, if the AI is not a safety feature, it would be outside of the scope of the Machinery Regulation.

The guest speaker from Pilz GmbH & Co. KG wondered why third-party certification was seen as a burden to manufacturers. He considered it to be a good safety principle to give Notified Bodies a share in the decision making.

EGMF requested that the interpretations as discussed would be available in written form. COM reassured that it would be reflected in the minutes and could be considered for

inclusion in the future Guide as well. COM also recalled that there will be a guidance on the AI Act in the form of a Commission approved document, as provided for in the AI Act.

Ireland noted that there appears to be confusion in relation to how the AI Act is going to interact with the Machinery Regulation. They appreciated that work is being done on the guidance, but noted that the timeframe may be too long. National governments are making provisions for the AI Act in terms of market surveillance and clarifications would be needed earlier. It was also asked if Notified Bodies certifying under the Machinery Regulation would also certify for the AI Act or there would be different notified bodies. COM answered they will make an effort to provide the guidance as soon as possible, and added that notifying authorities have to in any case do an assessment with regard to the requirements of the new Machinery Regulation.

3. Front loaders, proposed by CEMA

CEMA explained that front loaders are equipment mounted on the front of tractors, to carry or lift loads. This equipment is covered by harmonised standard EN 12525:2000+A2:2010 that is published with restrictions following the Formal Objection by Germany, as it does not adequately address dropping loads. In relation to this, France has issued a helpful note published by the French ministry of agriculture, to give some technical solutions. CEMA inquired about the legal status of this note.

France explained that the note was currently available only in the French language, but would also be translated into English. It indeed contains precise technical requirements by which manufacturers can comply in the meantime, but they are also allowed to have alternative solutions. CEMA noted that is good for the industry to have clear view, and wondered if other Member States plan to do something similar, as there could be differences on national markets, and if these initiatives could be shared on EU level. The AdCo chairman confirmed that it will be discussed in upcoming meetings.

CECE asked which should be the right forum to discuss this point and asked to put it in the agenda of the next meeting if the MEG is considered the right forum.

COM noted that all the relevant elements and existence or not of state of the art have to be taken into account. They said that an understanding of what there is in the Regulation in a very specific situation was achieved. They doubted on the possibility to discuss the topic further at this stage.

The next meeting is planned to be held, online, on 20 October 2025

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