

Guidance on Lifting Equipment Not Fully Compliant with a Product Standard

Document Reference: LEEA 056





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Document reference: LEEA 056 version 2 dated 18th February 2022

Published by the
LIFTING EQUIPMENT ENGINEERS ASSOCIATION
3 Osprey Court, Kingfisher Way
Hinchingsbrooke Business Park
Huntingdon PE29 6FN
United Kingdom
Tel: + 44 (0) 1480 432801 Fax: + 44 (0) 1480 436314
E-mail: mail@leea.co.uk Website: www.leeaint.com

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1.0 Introduction

The LEEA strongly supports full compliance with the relevant product standards, particularly the harmonised European standards which carry a presumption of conformity with the legal requirements for the supply of new lifting equipment. However, it is recognised that there are applications for which it is necessary to deviate from the product standard. In such cases the standard will often provide the majority of the specification and the manufacturer need only address those requirements with which their product does not comply. However, it is important that any reference to the standard in the manufacturer's literature or documentation is clear and not ambiguous or misleading. This document is intended to provide guidance on how to deal with that situation.

2.0 Reference to standards when not fully compliant

New lifting equipment placed on the market in Europe or the United Kingdom requires a declaration of conformity which must state the standards or specifications used. The manufacturer can state that the product "complies with the standard except for . . ." and clearly state what the exception is. That is an honest statement and not misleading. If the exception means that there remains a risk which must be separately addressed, the manufacturer should state how that is done, perhaps by reference to their own technical specification.

Vague statements such as "generally in compliance with" are intended to cover up the fact the product does not meet the stated standard and should not be used. Purchasers who receive documents with such statements are advised to question the supplier and request that the differences from the standard are clearly stated in writing.

The following sections present different examples where a deviation from a standard may be appropriate and what the manufacturer must do in terms of claiming compliance.

2.1 Textile slings used in the entertainment industry

The EN 1492 series of harmonised standards cover webbing slings and round slings. They specify a colour coding as an aid to identifying the WLL. For use in theatres and similar entertainment venues, purchasers usually specify black slings to minimise their visibility to the audience. In all other respects the slings comply with the performance requirements of the standard. The specified colours are only an aid as there are other clear WLL markings specified. Black is not one of the specified colours so using it will not cause confusion. In this case the manufacturer can state "complies with EN 1492-1 (or EN 1492-2 as appropriate) except colour is black".

2.2 Components with special dimensions

Many component standards specify certain dimensions as maxima or minima, i.e. a dimensional envelope. This is usually to assist the user to ensure dimensional compatibility with mating components. However, caution is necessary. The dimensions may be specified for safety reasons such as to avoid a shearing hazard in which case they should not be varied unless the hazard can be adequately addressed in some other way.

Provided they are not safety related and the item complies with the strength, fatigue resistance, toughness and other safety related performance requirements, then the dimensions can be varied. In this case the manufacturer can state "complies with 'standard *****' except for the dimensions which are to specification XYZ". His technical file should contain the evidence that "specification XYZ" is safe.

2.3 Equipment with some deviation from the operating envelope

A standard may specify that the equipment will operate safely within a defined operating envelope. For example, within a maximum or minimum temperature range. That may not be appropriate or possible for a particular application. If the manufacturer can comply with the requirements which are essential for safety within the manufacturers defined operating envelope, then, as above, the manufacturer can claim compliance with the standard but with a stated exception. The manufacturer's instructions for use together with additional marking, if appropriate, can ensure that the user is aware of the limitations. However, again, caution is necessary. The manufacturer must not rely on instructions for use to control risks which could reasonably have been addressed by better design, guarding, etc.

2.4 Equipment for which there is not a specific standard or which is not fully covered by a standard

Equipment which falls into this category may be designed and constructed taking account of one or more standards which have some relevance but which do not address all the risks associated with the product. The manufacturer should carry out a risk assessment and identify to what extent the risks can be addressed by particular standards. LEEA recommends the use of EN ISO 12100 for guidance to the risk assessment and risk reduction. The technical file should record the extent to which the standards apply together with how any residual risks are addressed. Claims of compliance should be carefully worded to avoid implying that compliance with those standards is all that is required to ensure safety. For example, claiming compliance with a paint specification says nothing about the mechanical properties of the item.

For further guidance on equipment for which there is not a specific standard refer to LEEA 064.