

EU cracks down on equipment

Sub-standard maritime equipment manufacturers will find it much harder to operate when a new European Commission proposal becomes law. But for quality-minded companies, the move will be good news.

The so-called wheelmark (or mark of conformity) – the European regulatory marking of all marine equipment – is recognized worldwide as a sign of quality. But it is not enough to prevent counterfeiting and inadequate certification.

A new proposal put forward by the European Commission (EC) to revise the Directive on Marine Equipment (MED) aims to remedy this.

“All going well, we might have an agreement at the end of this year or in the first half of 2014,” says Christine Berg, Head of Unit Maritime Safety at the EC’s Directorate-General for Mobility and Transport (DG MOVE).

She says the proposal takes into account the need to “adapt to the realities of shipping – not least that ship building and ship repair often happen very far away from EU territory.”

“The aim of our maritime safety policy,” she adds, “is to eliminate sub-standard shipping, increase the protection of passengers and crews, reduce

the risk of environmental pollution and ensure that operators who follow good practices are not put at a commercial disadvantage compared to those who are prepared to take short cuts with safety.”

Ineffective market surveillance

A report on the market for maritime equipment that accompanied the proposal at the end of last year raised the issue of ineffective market surveillance, a problem common to many markets for goods circulating in a global economy and currently under general review.

Other aspects highlighted by the report were the unequal implementation of IMO regulations by EU member states and the misuse of “safeguard clauses”. Safeguard clauses are restrictive measures taken by a member state when non-compliant equipment is identified.

“This is always a very difficult situation and in the current directive the manufacturer must go through an entirely unregulated process before the Member State and then, if measures are taken, again before the Commission.

“This can last months, if not years,” says Berg. She adds that the new system “places emphasis on the quality of the dialogue between market surveillance authorities and the manufacturer, requires impartial and exhaustive technical assessment and privileges voluntary correction.”

These measures are an attempt to find solutions at the level of the Member State. However, for equipment that cannot be brought into compliance, the new measures should simplify and accelerate the process of taking protective measures, says Berg. Roadblocks to implementation

Another issue highlighted in the report is that the current MED legal framework “does not sufficiently ensure the complete application and implementation of IMO standards in the EU, possibly leading to safety risks and inefficient functioning of the internal market for marine equipment.”

Berg also points to the “long and cumbersome” process by which the current directive is updated to take account of new IMO requirements. It can easily take two and a half years for an international standard or instrument updated by the IMO to become law in a member state.

“By the time the requirements become applicable, the rest of the world has been applying them for some time. This hampers innovation and generates cost for the industry,” says Berg.

According to the report, in extreme cases, these costs can be up to one percent of a company’s annual turnover. “We intend to change that,” says Berg. “We have proposed a new procedure that will allow us to implement all new IMO requirements well on time and much more flexibly.”

“Conversely, we will avoid imposing new requirements that have little or no added value in terms of safety but cost a lot of money.”

Berg says that once the proposed legislation comes into force, quality-minded manufacturers will be rewarded with a system that works better and more efficiently and with better-equipped conformity assessment bodies, she adds.

Lack of confidence in notified bodies and in the whole notification process in general was another problem raised in the report accompanying the proposal.

Christine Berg



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The proposed legislation “will now follow the general rules of the internal market legislation more closely. This will make everybody’s life simpler, especially those manufacturers who are present in other industrial sectors,” says Berg.

Electronic tagging has been used successfully in other sectors of the shipping industry.

Proposed electronic tagging

Other measures put forward in the proposal are a new link with port state control and improved documentation on board for inspectors. The possibility of using electronic tagging to either supplement or replace the wheel mark is also proposed.

Currently the wheel mark is a printed label or plate. It must be legible, visible and indelible throughout the life of the equipment. The label indicates that a piece of equipment holds a Declaration of Conformity based on the certification issued by notified bodies acting on behalf of the maritime administrations.

Consequently, equipment bearing the wheel mark is entitled to free movement on the internal market and can be used on board ships flying a community flag.

“Electronic tags are cheap, very difficult to forge and can be read at a distance. They can also provide valuable information to inspectors. They are, however, quite new for this kind of usage, and we have to see if they can be used with all types of equipment and under what conditions.

“However, we are convinced that electronic tags will make a major contribution to safety and the fight against counterfeiting, which we must not forget doesn’t only cost money but lives,” says Berg.

Electronic tagging has been used successfully in other sectors of the shipping industry, such as at freight distribution centers, as well as in the railroad and aerospace industries and on luggage at airports.

Leading the way

Berg says that DG MOVE wants its policy to take account of technological development but also be sensitive to the industry’s struggle to stay competitive.

The EU maritime equipment sector is a world leader, with an estimated 5,000 to 6,000 companies and close to 300,000 direct jobs, according to DG MOVE.

Berg says the industry “makes a considerable effort in terms of research and development. New ideas are coming all the time. I think we need to work together to make these ideas known and embraced internationally so the entire shipping industry can reap the benefits as soon as possible.”

Eero Lehtovaara, Senior Vice President of ABB’s Marine and Cranes business unit, says the company welcomes the new proposal: “Maritime equipment is critical for the safety of a vessel and its crew and it is therefore vital that our industry adopts a zero tolerance approach to sub-standard shipping.”

Lehtovaara adds that the new proposal should boost the growth of the maritime equipment industry as well as encourage innovation and productivity.

Text: Helen Karlsen