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**TECHNICAL REGULATIONS
OF THE CUSTOMS UNION**

TP TC 010/2011

«On the safety of machinery and equipment»

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Foreword

1. This technical regulation is designed in accordance with the Agreement on common principles and rules of technical regulation in the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation.
2. This technical regulation is designed for establishing on a single customs territory of the Customs Union, a mandatory requirements for the application and enforcement to the machines and (or) equipment in the process of development (designing), manufacturing, installation, commissioning, operation, storage, transportation, marketing and disposal, for the providing the free movement of machines and (or) equipment put into circulation in the common customs territory of the Customs Union.
3. If, in respect of machines and (or) equipment will be accepted other technical regulations of the Customs Union, technical regulations of the Eurasian Economic Community (hereinafter - EEC) establishing requirements for the machines and (or) equipment, the machines and (or) equipment shall meet the requirements of these technical regulations of the Customs Union, EEC, the effect of which they are subject.

Article 1. The field of application

1. This technical regulation extends to machines and (or) equipment, manufactured in circulation at the common customs territory of the Customs Union.
2. This technical regulation establishes minimum requirements safety of machines and (or) equipment in the process of development (designing), manufacturing, installation, commissioning, operation, storage, transportation, marketing and disposal in order to protect human life or health, property, environment, animals life and health, for prevent actions that mislead consumers.
3. This technical regulation extends to machines and (or) equipment for which were revealed and identified hazards, the requirements to their eliminate or reduce are given in accordance with Annex № 1 and № 2 of the Technical Regulations.
4. This technical regulation shall not apply to the following types of machines and (or) equipment:
 - Machines and (or) equipment related to ensuring the integrity and sustainability of the networks function and using of the radio frequency spectrum;
 - Machines and (or) equipment used for medical purposes and used in direct contact with the patient (X-ray, diagnostic, therapeutic, orthopedic, dental, surgical equipment);
 - Machines and (or) equipment specifically designed for use in the field of nuclear energy. On machinery and (or) equipment for general industrial use used in the field of nuclear energy the effect of these technical regulations apply to the extent not contrary to the requirements for nuclear and radiation safety;
 - Wheeled vehicles, other than machines and (or) equipment installed on theirs;
 - Sea and river transport vehicles (ships and craft, including those used for their machines and

- (or) equipment);
- Aircraft and spacecraft;
 - Rolling stock and facilities specifically designed for use on the railways and underground; - Attractions;
 - Weapons and military equipment;
 - Machines and (or) equipment intended for use by persons with disabilities;
 - Agricultural and forestry tractors and trailers, other than machines and (or) equipment installed on theirs;
 - Drilling platforms, other than machines and (or) equipment installed on theirs.

5. The action of this technical regulation applies to machines and (or) equipment used at hazardous production facilities.

6. If risks from machines, and (or) equipment, fully or partially installed in other technical regulations of the Customs Union, EEC, the machines and (or) equipment must comply with the technical regulations of the Customs Union, EEC, on which they are applied.

7. When identifying the machines and (or) equipment correspondence is established specific machines and (or) equipment sample or their description, as which can be used the standards referred to in item 1 of Article 6 of these technical regulations, classifications, specifications and drawings, specifications, operational documentation.

8. Additional safety requirements for certain categories of machinery and equipment are installed in accordance with Annex № 2.

Article 2. **The definitions**

1. This technical regulation, the following terms and their definitions:

"accident" - the destruction of or damage to the machine and (or) equipment, the occurrence in process of the operation of machines and (or) equipment uncontrolled explosion and (or) release of hazardous and noxious substances;

"tolerable risk" - level the risk from the use of machines and (or) equipment based on the technical and economic capacity of the manufacturer, the appropriate level of safety, which should be available at all stages of the product life cycle;

"life cycle" - the period of time from the beginning of designing machines and (or) equipment to complete ending disposal, including interlinked stages (designing, manufacture, storage, installation, commissioning, operation, among others modernization, repair, maintenance and service);

"incident" - the refusal of machines and (or) equipment, the deviation of the mode of production process;

"critical failure" - the refusal machines and (or) equipment for which possible consequences are a causing harm to life or health, property, the environment, life and health of animals and plants;

"machine" - a set of interconnected parts or components, of which at least one part or one unit moves by using the appropriate actuators, control circuits, power sources, combined together for a particular application (eg, treatment, processing, handling or packaging material);

"mobile power tools" - tractors, universal power devices, power-actuated chassis;

"designated resource" - the total operating time, after reaching which the operation of the machine and (or) equipment must be stopped, regardless of their technical condition;

"operating time" - the duration or volume of works the machine and (or) equipment;

"designated working life" - calendar duration of the machine and (or) equipment, after reaching which the operation should be discontinued, regardless of their technical condition;

"designated retention period" - calendar duration of storage of the machine and (or) equipment, after achievement which their storage must be terminated, regardless of their technical condition;

"intended use of a machine" - the use of machines and (or) equipment in accordance with the purpose specified by the manufacturer in the operating documents;

"safety case" - document containing an analysis risks, as well as information out of the design, operational, technical documentation about the minimum necessary measures to ensuring safety that accompanies the machine and (or) equipment at all stages of the life cycle, and supplement the information about the results of the risk assessment at the stage of operation after a major overhaul;

"equipment" - used independently or installed on the machine a technical device, necessary for the performance of its main and (or) additional functions as well as for connecting several machines into a single system;

"failure" - an event at which there is violation a workable condition of the machine and (or) equipment as a result constructive violations in the designing, non-observance the specify process of manufacturing or repair, default of the rules or manual (instructions) for use;

"limiting state" - the state machine and (or) equipment in which their further operation is inadmissible or inadvisable or restore their working condition is impossible or inadvisable;

"attachable machine" - mobile, trailed, semi-trailed, mounted and semi-mounted or mounted on a mobile power mean the machine designed to perform operations at the production and primary processing of agricultural products, etc.;

"developer" (designer) - a legal or individual that has the process of creating a new type of machinery and equipment, the development of technical documentation for the prototype and prototyping;

"developer (designer) of a system" - a legal or individual that has the process of creating the project documentation for the machine system and (or) equipment (production lines, interconnected production cycle);

"agricultural machine-tractor aggregate" - complex, a combination of mobile power mean with trailer, semi-trailer or mounted machine (or machines), and intended for accomplishment technical agricultural operations;

"system" - a set of machines and (or) equipment united constructively and (or) functional to per-

form the required functions;

"danger" - a potential source of damaging event to human life and health, property or the environment;

"danger zone" - the space in which coming from machinery or equipment hazards affect on human;

"risk" - a combination of the occurrence of harm and the consequences of harm to human life or health, property, the environment, life and health of animals and plants.

Article 3. Rules of market circulation

1. Machines and (or) equipment are issued on the market provided that they meet this technical regulation, and other technical regulations of the Customs Union, EEC, the action of which they are subject, and provided that they have passed conformity assessment procedures established by this technical regulations, and other technical regulations of the Customs Union, EEC, the action of which they are subject.

Machines and (or) equipment, for which conformity to the requirements of this technical regulation is not confirmed, should not be marked with a unified mark of circulation on the market of the Customs Union Member States and are not allowed for release into circulation in the common customs territory of the Customs Union.

Article 4. Ensuring the safety of machines and (or) equipment in the development (designing)

1. When developing (designing) of the machine and (or) equipment must be identified potential hazards at all stages of the life cycle.

2. For the identified hazards it should be to evaluate the risk assessment by calculation, experimental or an expert way according to the data from an operating similar machines and (or) equipment. Methods of risk assessment can be established in the standards referred to in item 1 of Article 6 of the Technical Regulations.

3. When developing (designing) must be determined and installed acceptable risk for the machine and (or) equipment. The level of safety appropriate to established risk, provided:

- the completeness of scientific research and developmental works;
- the conduct of a complex of necessary calculations and tests, based on methods verified in the established procedure;
- choice of materials and substances applied in certain types of machines, and (or) equipment, depending on the parameters and operating conditions;
- the establishment by the developer (designer) limit state criteria;
- the establishment of the developer (designer) assigned operating life, assigned resources, timing of maintenance, repair and disposal.
- the identification all hazards associated with the predictable possible improper use of machines and (or) equipment;
- the limitation in the use of machines and (or) equipment.

4. If the assessed risk is higher allowable, a project machine and (or) equipment should be changed for risk reduction, without the intervention of personnel in all operating modes of the machine and (or) equipment (if intervention does not provide operating manual (instructions for use)).

5. If it is impossible to achieve the technical characteristics of the machine and (or) equipment that determine acceptable risk by changing the project, as well as at economic inexpediency in the operating manual (instructions for use) is specified the information that limits the conditions for the use of the machine and (or) equipment or warning about the need to take measures to ensure safety.

6. At the development (designing) of machines and (or) equipment must be installed level of physical factors (noise, infrasound, air and contact ultrasound, local and general vibration, electromagnetic fields), as well as levels emission dangerous and hazardous substances to ensure the safety during their operation.

7. In the development (design) of the machine, and (or) equipment should be developed a safety case.

Original the safety case of machines and (or) equipment is stored at the developer (designer), and the copy - at the manufacturer of machines and (or) equipment and at the organization operating the machines and (or) equipment.

8. Development of the operating manual (instructions for use) is an integral part of the development (designing) of the machine, and (or) equipment. Operating manual (instructions for use) shall include:

- information on the design, operation principle, the characteristics (properties) of machinery and / or equipment;
- instructions for installation or assembly, setup or adjustment, maintenance and repair of machines and (or) equipment;
- instructions on using of machines and (or) equipment and measures to ensure safety that need to be taken when using the machine, and (or) equipment, including commissioning and intended use, maintenance and repair of all types, periodic diagnosis, testing, transportation, packaging, conservation and storage conditions;
- designated parameters (designated retention period, designated working life and (or) the designated resource), depending on the design features. Upon expiration of designated parameters (designated working life, retention period and resource) machine and (or) equipment should be taken out of service and decided to send it in for repair, disposal, about the inspection and the establishment of new designated parameters (designated working life, retention period and resource);
- list of critical failures, possible mistaken personnel actions, which lead to an incident or accident;
- personnel actions in the event of an incident, a critical failure or accident;
- criteria of limit state ;
- instructions for decommissioning and disposal.
- information about staff qualifications .

9. If the machine and (or) equipment is not designed for use by professional users, the operating manual (instructions for use) must consider the knowledge, skills and experience of these users.

Article 5. Ensuring the safety of machines and (or) equipment at the manufacture, storage, transportation, operating and disposal

1. When manufacturing of machines and (or) equipment must be provided their compliance with requirement of the design (design) documentation and of this technical regulations.
2. When manufacturing of machines and (or) equipment manufacturer must carry out all complex safety measures determined project (design) documentation, it must also be a possible the implementation monitoring of all technological operations that affect safety.
3. When manufacturing machines and (or) equipment must be carried out tests specified the project (design) documentation.
4. When manufacturing machines and (or) equipment must be provided with the safety requirements established by the project (design) documentation in accordance with the technical regulations, subject to the applicable technological processes and control systems. The manufacturer carries out risk assessments of machines and (or) equipment before release into circulation.
5. The deviations from the project (design) documentation at manufacturing of machines and (or) equipment must be agreed with the developer (designer). The risk from the use of machines and (or) equipment, made at an agreed project (design) documentation, should not be higher than acceptable risk established designer (designer).
6. Machine manufacturers and (or) equipment should provide a machine and (or) equipment an operating manual (instructions for use).
7. Machine and (or) equipment should contain clearly legible and indelible warning labels or signs on hazards.
8. Machine and (or) equipment should contain good visible clearly and indelibly identification label (plate) containing:
 - the manufacturer's name and (or) its trademark;
 - the name and (or) designation of machines and (or) equipment (type, brand, model (if any)); - month and year of manufacture.
9. If information listed in item 8 of this Article is impossible to inflict to a machine and (or) equipment, they can only be specified in the operating manual (instructions for use) attached to this machine and (or) equipment. In this case, the manufacturer's name and (or) its trademark, name and designation of the machine and (or) equipment (type, brand, model (if any)) should be marked on the packaging.
10. The information referred to in item 8 of this Article should contain in the operating manual (instructions for use). In addition, the operating manual (instructions for use) must contain the name and address of the manufacturer (the person authorized by the manufacturer), importer, information to contact them.
11. Operating Manual (manual) is performed in Russian and in the state language (s) of the Member State of the Customs Union, if the law of the state (s) of the Member (s) of the Customs Union has corresponding requirements.

The operating manual (instructions for use) is performed on paper. To it can be add a set of operation documents in electronic form. The operating manual (instructions for use) can be done only in electronic form, at the option of the manufacturer, if the machine and (or) equipment is than domestic use.

12. Materials and substances that are used for packaging machines and (or) equipment should be safe.

13. Transportation and storage of machines and (or) equipment, their parts and components should be carried out with safety in mind provided for the project (design) and operational documentation.

14. During maintenance, repair and inspection machines and (or) equipment must be observed the requirements established by operating manual (instructions for use), program maintenance or repair over the life of the work.

15. Changing the design of the machine and (or) equipment that arise when their repair must be agreed with the developer (designer).

16. After a major overhaul the machine and (or) equipment must be carried out a risk assessment, the importance of which should not be higher that acceptable. If necessary, are developed technical and organizational measures to achieve the values of tolerable risk .

17. For repair the machine and (or) equipment not satisfying the requirements of the project (design) documentation should be developed measures to ensure values of risk specified in the safety case taking into account the organization's technological processes and control systems.

18. In the operating manual (instructions for use) shall be established recommendations for the safe utilization the machine and (or) equipment.

19. When designing the machine and (or) equipment in the operating manual (instructions for use) shall be determined by measures to prevent the unintended use of the machine and (or) equipment after reaching the designated resource or designated working life.

Article 6. Ensuring compliance with safety requirements

Machines and (or) equipment complies with this technical regulation, if the requirements of regulations are implemented either directly or are implemented of the requirements of intergovernmental standards, and in their absence - the national (state) standards of the Customs Union Member States

Implementation of on voluntary basis requirements mentioned in List standards indicates compliance of machines and (or) equipment with safety requirements of the technical regulations.

Note of Test-Engineering: The article is presented in a shortened version.

Article 7. The assessment of compliance

1. Machines and (or) equipment released for circulation at the common customs territory of the Customs Union shall be subject to the conformity assessment with requirements of these technical regulations.

Conformity assessment of these technical regulations is carried out in the form of confirmation of compliance and in the form of state control (supervision).

Used machines and (or) equipment, or manufactured for their own use of their manufacturers, as well as components and spare parts to machines used for repairs (maintenance) machines and (or) equipment are not subject to confirmation of the technical compliance regulations.

Article 8. The confirmation of conformity

1. The confirmation of conformity of machinery and (or) equipment is carried out according to unified procedures approved by the Commission of the Customs Union.

2. The confirmation of conformity of machinery and (or) equipment with requirements of this technical regulation is carried out in the form of: certification by an accredited certification body (assessment (confirmation) of conformity) (hereinafter - the certification body), included in the Unified Register of certification bodies and testing laboratories (centers) of the Customs Union;

Declaring of conformity based on their own evidence, and (or) obtained with the participation of the certification body or an accredited testing laboratory (center), included in the Unified Register of certification bodies and testing laboratories (centers) of the Customs Union (hereinafter - accredited testing laboratory (center)).

3. Certification is carried out in respect of machines and (or) equipment included in the list of objects of technical regulation, contained in Annex № 3.

4. Declaring of conformity carried out by the applicant in respect of machines and (or) equipment included in the list of objects of technical regulation, contained in Annex № 3.

5. According decision to the applicant instead of declaring of conformity in respect of machinery and (or) equipment included in the list referred to in subparagraph 1 of item 4 of this Article may be carried out a certification under schemes of certification equivalised schemes of Declaring of conformity which are provided for machines and (or) equipment with this technical regulations, including the absence or insufficiency of the applicant's own evidence confirming compliance with the requirements of the technical regulations.

6. The declaration of conformity or the certificate of conformity is the only document confirming that the machine and (or) equipment conform to requirements of these technical regulations.

7. The declaration of conformity and certificate of conformity have the same legal force and have effect in the common customs territory of the Customs Union with respect to machines and (or) equipment released for circulation in the common customs territory of the Customs Union at the time an action of the declaration of conformity or the certificate of conformity, and, for each one (the car and (or) equipment) during its life cycle.

8. Information about the declaration of conformity or the certificate of conformity must be specified in the passport machines and (or) equipment.

9. When conducting confirmation of compliance is checked the conformity of machinery and (or) equipment requirements of these technical regulations specified directly or established in the standards referred to in Article 6 of the Technical Regulations.

10. When conducting confirmation of compliance of machines and (or) equipment the applicant forms a package of documents on the machines and (or) equipment, confirming compliance with the safety requirements of these technical regulations, which include:

- the safety case;
- technic specifications (if available)
- operational documents;
- a list of standards determining requirements to these machines and (or) equipment about conformity (when used by the manufacturer);
- the contract (supply contract) (for the party, a single product), or shipping documentation (for the party, a single product);
- certificate on quality management system of the manufacturer (if available);
- information about the researches (if available);
- testing protocols the machine and (or) equipment carried out of the manufacturer, seller or person executing functions of the foreign manufacturer, and (or) test laboratories (centers) (if available);
- certificates of compliance for materials and components and protocols of their tests (if available);
- certificates of conformity for these machines and (or) equipment provided by foreign certification bodies (if available);
- other documents, directly or indirectly, confirming compliance with the machines and (or) equipment safety requirements of these technical regulations (if available).

Article 9. The procedure declaring of conformity machinery and (or) equipment

Declaring of conformity machinery and (or) equipment, are carried out one of schemes 1d, 2d, 3d, 4d, 5d, 6d.

The scheme 1d for series-produced machines and (or) equipment consists of the following steps:

- the applicant forms a package of documents specified in paragraph 10 of Article 8;
- the applicant carries out production control
- the applicant takes all necessary measures to ensure that the manufacturing process ensures conformity of machines and (or) equipment with the requirements of this technical regulations;
- the applicant carries out tests samples in the testing laboratory or in the accredited testing laboratory (center),
- the applicant accepts and registers the declaration of conformity.

The scheme 2d for lot of machines and (or) equipment (single product) consists of the following steps:

- the applicant forms a package of documents specified in paragraph 10 of Article 8;
- the applicant carries out tests samples in the testing laboratory or an accredited testing laboratory (center),
- the applicant accepts and registers the declaration of conformity.

The scheme 3d for series-produced machines and (or) equipment consists of the following steps:

- the applicant forms a package of documents specified in paragraph 10 of Article 8;

- the applicant carries out production control
- the applicant takes all necessary measures to ensure that the manufacturing process ensures conformity of machines and (or) equipment with the requirements of this technical regulations;
- the applicant carries out tests samples in the accredited testing laboratory (center),
- the applicant accepts and registers the declaration of conformity.

The scheme 4d for lot of machines and (or) equipment (single product) consists of the following steps:

- The applicant forms a package of documents specified in paragraph 10 of Article 8; -
- The applicant carries out tests samples in the accredited testing laboratory (center), -
- The applicant accepts and registers the declaration of conformity.

The scheme 5d is used for the machines and (or) equipment:

- applied at hazardous industrial facilities;
- when it is impossible test in full prior to their installation on operational location;
- when the applicant for conformity assessment does not apply the standards referred to in paragraph 1 of Article 6 of these technical regulations, including for innovative products.

Includes the following steps:

- the applicant forms a package of documents specified in paragraph 10 of Article 8;
- the applicant carries out production control
- the applicant takes all necessary measures to ensure that the manufacturing process ensures conformity of machines and (or) equipment with the requirements of this technical regulations;
- the applicant sends to the certification body the application for research of the type.
 - certification body carries out a research of type taking into account these documents received from applicant . If the applicant did not apply the standards referred to in paragraph 1 of Article 6 of these technical regulations, the certification body assesses the possibility of replacing the requirements of the specified standards with stated requirements. The research of type, de-pending on the documents presented by the applicant, carried out by one of the following ways:
- the research of sample as representative of all produced subsequently machines and (or) equipment;
- examination presented documents, the test sample or determining (critical) parts of machines and (or) equipment;
- at positive results carried out researches of type the certification body makes out the certificate on type by unified form approved by the Commission's decision, and issues to the applicant. The certificate of type is an essential part of the declaration of conformity. Declared requirements to the machine and (or) equipment contained therein are recognized sufficient evidence of its compliance with the requirements of the technical regulations, are used in tests conducted by the state control (supervision) in accordance with this technical regulation;
- the applicant accepts and registers the declaration of conformity.

The scheme 6d for series-produced machines and (or) equipment, if the manufacturer has a certified system of management that includes the following:

- applicant forms package of documents referred to in paragraph 10 of Article 8, the makeup of which includes a certificate management system (copy of the certificate of conformity), issued by the certification body of management systems, included in the Unified Register of certification bodies and testing laboratories (centers) of the Customs Union;
- the applicant takes all necessary measures to ensure that the manufacturing process ensures conformity of machines and (or) equipment with the requirements of this technical regulations;

- the applicant carries out tests samples in the accredited testing laboratory (center),
- the applicant accepts and registers the declaration of conformity.

Applicant at declaration by schemes 1d, 3d, 5d can be registered in accordance with the legislation of the Member State of the Customs Union on its territory, a legal entity or natural person as an individual entrepreneur: the manufacturer or person performing the functions of the foreign manufacturer in a contract with him in part ensure compliance of delivered products to the requirements of this technical regulations and in a part of liability out of non-conformity of delivered products to the requirements of the technical regulations of the Customs Union (the person performing the functions of the foreign manufacturer).

Applicant at declaration by schemes 2d, 4d can be registered in accordance with the legislation of the Member State of the Customs Union on its territory, a legal entity or natural person as an individual entrepreneur: the manufacturer or the seller or person performing the functions of the foreign manufacturer in a contract with him in part ensure compliance of delivered products to the requirements of this technical regulations and in a part of liability out of non-conformity of delivered products to the requirements of the technical regulations of the Customs Union (the person performing the functions of the foreign manufacturer).

Article 10. The composition of the evidentiary materials that are basis for decision the declaration of conformity

1. In the capacity of the evidentiary materials that are the basis for decision the declaration of conformity based on their own evidence, are used the documents referred to in paragraph 10 of Article 8 of the technical regulations, as well as standards referred to in Article 6 of the Technical Regulations.

2. In the capacity of the conditions of use of these documents can be considered:

1) for the test protocol:

the presence in test protocols of parameters values , confirming compliance with all the requirements established in the technical regulations, apply to a specific declared product;

the dissemination of test protocols on the declared machine and (or) equipment;

2) certificates of conformity, declaration of conformity or test protocols for raw, materials, components - if they determine the safety of the final product, subject to a conformity confirmation;

3) certificate for quality management system of production - if they extend to the manufacture of the declared machinery and (or) equipment;

4) other documents, directly or indirectly, confirming compliance with the machines and (or) equipment to established requirements, certificates of conformity on the declared machine and (or) equipment issued for voluntary certification (provided that all the necessary requirements of the voluntary certification was confirmed).

3. The declaration of conformity is issued on a unified form, approved by the Commission of the Customs Union.

The declaration of conformity shall be registered in accordance with the procedure approved by the Commission of the Customs Union. The declaration of conformity becomes effective from the date of registration. Duration of the declaration of compliance is not more than 5 years.

4. The applicant must keep the declaration of conformity and evidentiary materials for ten years from the date expiration of the declaration of conformity.

A package of documents confirming compliance should be made available bodies of state control (supervision) on their requirements.

Article 11. **Certification Procedure of machines and (or) equipment**

1. Certification of machines and (or) equipment, are carried out on schemes 1c, 3c, 9c:

The scheme 1c for series-produced machines and (or) equipment consists of the following steps:

- the applicant forms a package of documents specified in paragraph 10 of Article 8 and gives the application for certification to the certification body;
- the certification body carries out sample taking at the applicant to perform the tests;
- the accredited testing laboratory (center) included in the Unified Register of certification bodies and testing laboratories (centers) of the Customs Union (hereinafter - accredited testing laboratory (center)) carries out tests samples of machines and (or) equipment;
- the certification body carries out analysis of the production state of the manufacturer and the results of tests of samples of machines and (or) equipment and issues to the applicant the certificate of conformity at positive results;
- the certification body carries out the inspection control of certified machines and (or) equipment by testing samples in an accredited testing laboratory (center) and (or) analysis of the production state .

The scheme 3c for lot of machines and (or) equipment (single product) consists of the following steps:

- the applicant forms a package of documents specified in paragraph 10 of Article 8 and gives the application for certification to the certification body;
- the certification body or accredited testing laboratory (center) carries out sample taking at the applicant to perform the tests;
- the accredited testing laboratory (center) carries out tests samples of machines and (or) equipment;
- the certification body carries out analysis the results of tests of samples of machines and (or) equipment and issues to the applicant the certificate of conformity at positive results.

The scheme 9c for lot of machines and (or) equipment of the limited amount of equipment, destined for equipping factories at the unified territory of the Customs Union, including the following:

- the applicant forms a package of documents specified in paragraph 10 of Article 8 and gives the application for certification to the certification body
- the certification body carries out analysis the package of documents presented by the applicant and issues to the applicant the certificate of conformity at positive results

Applicant at certification by schemes 1c, 9c can be registered in accordance with the legislation of the Member State of the Customs Union on its territory, a legal entity or natural person as an individual entrepreneur: the manufacturer or person performing the functions of the foreign manufacturer in a contract with him in part ensure compliance of delivered products to the requirements of this technical regulations and in a part of liability out of non-conformity of delivered products to the requirements of the technical regulations of the Customs Union (the person performing the functions of the foreign manufacturer).

Applicant at certification by schemes 3c can be registered in accordance with the legislation of

the Member State of the Customs Union on its territory, a legal entity or natural person as an individual entrepreneur: the manufacturer or the seller or person performing the functions of the foreign manufacturer in a contract with him in part ensure compliance of delivered products to the requirements of this technical regulations and in a part of liability out of non-conformity of delivered products to the requirements of the technical regulations of the Customs Union (the person performing the functions of the foreign manufacturer).

2. The applicant can apply with application for a certification in any certification body, which has in the scope of accreditation machine and (or) equipment, included in the list of machinery and equipment subject to conformity confirmation with requirements of technical regulations of the Customs Union "On the safety of machinery and equipment" in the form of certification, approved by the Commission of the Customs Union.

The application for certification is made by the applicant and shall contain:

- name and address of the applicant;
- name and address of the manufacturer;
- information about the machine and (or) equipment (its structure) and its identifying characteristics (name, code by classifier foreign economic activity of the Customs Union, the document for manufacture machines and (or) equipment (interstate or national standard, standard of enterprise, technical specifications and etc.), type of issue - serial production or party, details of the agreement (contract), etc.);
- use of the standard (s) referred to in paragraph 1 of Article 6 of this technical regulation; - certification scheme.

3. The certification body considers the application and makes a decision about the possibility of certification.

If a decision is positive, the certification body enters into a contract with the applicant on carrying out works on certification.

The certification body carries out a work according to certification scheme prepares a decision and issues to the applicant the certificate of conformity at positive result.

4. In the case of a negative result of certification the certification body sends to the applicant a reasoned decision to refuse to issue a certificate of conformity.

5. Testing of type sample (standard samples) or a single product of the machine and (or) equipment carried out by accredited testing laboratory (center) on behalf of the certification body getting the test protocol.

6. Analysis of production state is carried out by a certification body at the manufacturer. Results of the analysis are drawn act.

In the manufacturer has certified Quality Management System of the production or the development and the production of machines and (or) equipment, the certification body assesses the ability of the system to ensure stable production of certified machines and (or) equipment corresponding the requirements of the technical regulations.

7. If results of the checks provided by the certification scheme are positive, the certification body prepares and issues a certificate of conformity to the applicant.

Certificate of conformity is made on a single form, approved by the Commission of the Customs Union.

Information about issued certificate of compliance certification body sends in the Unified Register of certificates of conformity and registered declarations of conformity issued at a unified form.

8. The duration of the certificate of conformity is established - not more than 5 years for the se-

ries-produced machinery and (or) equipment. The duration is not installed for the delivered party.

9. The certificate of compliance can have an annex containing a list of specific products to which it applies.

The annex is made if:

- it is required to specify a composition of the group homogeneous products produced by the applicant and certified by one and the same requirements;
- it is required to specify the manufacturers included in larger units having uniform conditions of production.

Article 12. Marking with a unified mark of product circulation on the market of the Customs Union Member States

1. Machines and (or) equipment conforming to the requirements of the safety technical regulations and gone the conformity assessment procedure accordance to Article 8 of this technical regulation shall be marked with a unified mark of product circulation on the market of the Customs Union Member States.

2. Marking with unified mark of product circulation on the market of the Customs Union member states is carried out before the release of machines and (or) equipment in circulation in the market.

3. Unified mark of product circulation on the market of the Customs Union Member States must be to apply to each unit of machinery and (or) equipment in any way, providing clear and precise images over the working life of the machine and (or) equipment.

Unified mark of product circulation on the market of the Customs Union Member States must be to apply to the product itself.

4. The application unified mark of product circulation on the market of the Customs Union member states is allowed only on the packaging and in the attached operating documents, if it cannot be to apply directly to the machine and (or) equipment.

5. Machines and (or) equipment are marked with a unified mark of product circulation on the market of the Customs Union member states, if they conform to the requirements of all the technical regulations of the Customs Union, EEC applicable to them and providing for the application of a unified mark of product circulation on the market of the Customs Union member states.

Article 13. Safeguard clause

1. Customs Union Member States shall take all measures to limit, prohibition on release into circulation of machines and (or) equipment on the common customs territory of the Customs Union, and withdrawal from the market of machines and (or) equipment not conforming to the requirements of the technical regulations.

Annex № 1 – General regulations of safety machines, and (or) equipment

Annex № 2 – Additional regulations of safety for special machines, and (or) equipment

- Agricultural and other self-propelled machines and mobile
- Lifting machines
- Equipment for processing and reprocessing food , production of cosmetics or pharmaceuticals

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