



FEM Bulletin

Bi-monthly publication of the European Materials Handling Federation

Issue 2016/04 – December 2016

Meet the new Board of FEM



Christophe Lautray
Linde Material Handling
President



Jos de Vuyst
Stow International
Vice-President / Racking & Shelving



Jan van der Velden
Vanderlande Industries
Past President / Intralogistic Systems



John Meale
Thorworld Industries
Elevating Equipment



Juha Erikkilä
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Cranes & Lifting Equipment



Matthias Fischer
Toyota Material Handling
Industrial Trucks



Luisa Parisotto
GENIE
Mobile Elevating Work Platforms



Dan Pettersson
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Sweden & Finland



Rodolfo Occari
Toyota Materials Handling
Italy



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FEM Affairs

Christophe Lautray becomes President of FEM



Christophe Lautray, CSO of Linde Material Handling, was elected President of FEM on the occasion of the FEM Biennial Congress on 6-7 October 2016 in Bordeaux. He takes over from Jan van der Velden, who stepped down after 4 years.

Born in 1962, Christophe Lautray started his career in the Saft – Alcatel Group before joining Fenwick Linde in 1991. After taking over the general management of Fenwick, he moved to Linde Material Handling where he has been a Member of the Management Board and Chief Sales Officer since 2009.

He said: *"It is truly an immense honour for me to be elected as president of our organisation representing the great Material Handling industry, one of the very few using all the technologies which are required in the automotive industry."*

Christophe Lautray explained that he would *"bring across [his] passion for our industries"* and base his mandate on 4 key topics:

- Attractiveness of our industries
- Internationalisation
- Stronger links with Orgalime
- More presence of high-ranking executives at the FEM Congress and in working groups

FEM Board 2016-2018

On 7th October, FEM General Assembly elected a new Board for the period 2016-2018. The main changes are the following:

- **Christophe Lautray** (Linde Material Handling, representing France) becomes President
- **Jos De Vuyst** (Stow, representing PG Racking & Shelving) becomes Vice-President
- **Jan van der Velden** (Vanderlande Industries, representing PG Intralogistic Systems) becomes Past President
- **Matthias Fischer** (Toyota Material Handling Europe) joins the Board as President of the PG Industrial Trucks. He replaces Ken Dufford, who leaves the Board after 4 years
- **Rodolfo Occari** (Toyota Material Handling Manufacturing Italy) joins the Board a representative of Italy. He replaces Pietro Almici.

All the other Board members had their mandate extended.

FEM discusses the supply chain of 2020 at All4pack



FEM President Christophe Lautray and Secretary General Olivier Janin took part in a broadcasted debate on the *supply chain of 2020* on the occasion of the [All4pack exhibition](#) on 16th November in Paris. The panel also included two delegates from FEM French member CISMA, Jean-Luc Tomé, Vice-President, and Renaud Buronfosse, Director General. These representatives of the materials handling industry debated with representatives of the logistics industry, Jean-Michel Guarneri, President of ALSOG and Joss Marinus, Chairman of ELA.

The panellists commented the results of a survey ordered by ASLOG on key factors for the supply chain of the future. The survey identified these as being digitisation, corporate social responsibility, agility & resilience, omni-canal distribution and organisation of human resources. The whole discussion can also be seen on [Youtube](#).

FEM Congress 2016: a great success

FEM 2016 Congress gathered nearly 150 participants from all over Europe and beyond. The event was a great success, as shown by the subsequent survey that revealed a satisfaction rate above 80%. Participants notably valued the conference theme and formats and enjoyed very much the social programme on both evenings. Only the hotel, which was a pragmatic compromise between location, meeting facilities and rates, received mixed comments, which shall be duly taken into account for future reference. FEM takes this opportunity to warmly thank the whole CISMA team for all its work and efforts.



Gala Dinner at La Faïencerie, 9 October 2016, Bordeaux

Iranian Logistics Society joins FEM



FEM Board unanimously has granted temporary associate membership to the Iranian Logistics Association. ILS was founded 12 years ago and is the representative organisation of the Logistics Industry in Iran including materials handling, transportation and warehousing.

The Board's decision is to be formally endorsed by the general assembly at the end of March.

FEM Congress 2018 – mark the date in your agenda!

Belgium (AGORIA) has kindly accepted to organise the next FEM Congress. The provisional dates chosen are

13-14 September 2018

Please mark your agenda!



Task forces activities

Outdoor Noise Directive

The ODELIA study on the scope and limit values of the Outdoor Noise Directive (OND) has been finalised early 2016 (see [final report](#)). Since then the review process of the Outdoor Noise Directive has been put on hold. The ODELIA study report was supposed to be widely discussed at the Commission's Noise Expert Group on 30 September. However, the European Commission kept discussions on this matter and industry criticisms on the ODELIA conclusions as short as possible.

It should be noted that, at the Noise Expert Group meeting, a few EU Members States suggested reshaping the current noise label to make it similar to the energy label for household appliances. They also proposed to revise the data collection to maintain the existing database (Article 16). These two aspects will be discussed at the next FEM Task Force Noise meeting (spring 2017). So far, FEM requested to maintain the current noise label and remove the database.

As a next step of the review process, the European Commission will launch an impact assessment study. It aims to assess possible changes in the OND, such as stricter noise limits and removal of third party certification, noise labelling and data collection. Although this study was supposed to start in the last quarter of 2016, the Commission is currently drafting the technical specifications. Consequently, it is likely to start in spring 2017. The Commission legislative proposal to review the OND is delayed to the end of 2019.

Machinery Directive

The study on the evaluation of the Machinery Directive 2006/42/EC is ongoing. Further to the meeting of the FEM task Force Machinery on 14th November, FEM finalised and submitted its replies to the European Commission's public consultation and to the consultant's targeted questionnaire. The first findings report is expected at the end of January 2017 whilst the final report will be published in April. FEM plans to issue a position paper on the review of the Machinery Directive.

As regards the update of the Guide on the application of the Machinery Directive, all FEM comments provided to Orgalime in the summer have been endorsed and submitted to the European Commission. Written input on existing comments and text must be given by 31st January 2017. To deal with those topics or comments where there are multiple interpretations and further discussions are needed, the Commission will set up an editorial group (sub-group of the Machinery WG) made of experts from the Member States and interested stakeholders to start working next year on the remaining controversial issues in the Guide. Once agreement within this group is reached, the Machinery WG will take decisions on the final text.

The Machinery Working Group last met on 9-10 November. FEM actively participated and notably submitted two position papers, one on "*industrial trucks and equipment for handling loads*" and one on "*fitting inter-changeable equipment on forklift trucks*". As regards the first paper, FEM pointed out that to be defined as an interchangeable equipment, an attachment must bring new functions and/or introduce new risks, significantly differing from those foreseen by the industrial truck manufacturer.

On the document on 'fitting interchangeable equipment to forklift trucks', FEM is of the opinion that the current procedure used for the coupling of interchangeable equipment to a forklift truck is well-established and continues to represent the safest means to define the actual capacity of a forklift truck equipped with an interchangeable equipment. Moreover, compliance with the Machinery Directive and the standard EN ISO 3691-1 is ensured. Any alternative approach (such as the analytical procedure) does not add value if it does not guarantee an equivalent level of safety.

The next meeting of the Machinery Working Group is due to take place on 28-29 March 2017.

Revision of Exhaust Emissions of NRMM Directive

The [NRMM Regulation 2016/1628](#) entered into force on 6th October 2016. Delegated and Implementing Acts must now be adopted by the European Commission in December and be published in the EU Official Journal in March next year.

FEM has been actively involved in the joint industry expert group that is drafting a comprehensive FAQ/Guide on the new Regulation explaining the legal provisions which impact OEMs. The final draft has now been submitted to the European Commission for comments and the plan is to have it published in February 2017.



EU legislative issues

General Issues

Road circulation

FEM Rough Terrain Trucks took part in an ITF Road Circulation meeting on 4th November 2016. There FEM proposed a flowchart for the homologation process of mobile machinery and it was endorsed by both CECE (construction equipment) and CEMA (agricultural machinery). Work on technical requirements is to be finalised by the end of 2016, in advance for the next ITF meeting due to take place on 11th January.

Product Safety & market surveillance

FEM submitted its input on a survey developed by Ernst & Young (E&Y) on the evaluation of the market surveillance provisions laid down in the Regulation (EC) No 765/2008.

This evaluation seeks to perform a comparative analysis of the application of the market surveillance provisions in the regulation, across the 28 Member States, and to assess the fitness for purpose and impact of this Regulation on different stakeholders (e.g. Market Surveillance Authorities, Customs, economic operators and industry associations, consumer and user associations).

In its response to the E&Y consultation, FEM acknowledges the benefits of a common market surveillance legal framework, but points out the need to boost cooperation between market surveillance authorities and economic operators. The importance of cross-border coordination between market surveillance authorities and customs authorities is also highlighted, to ensure more effective deterrence of rogue traders from placing non-compliant products on the EU market.

The findings of this consultation are expected to feed into the Commission's plans to revamp the market surveillance legal framework, and may guide the EU executive in identifying a suitable set of actions proposed in the Single Market Strategy.

Radio Equipment Directive

New lists of harmonised standards in the framework of the Radio Equipment Directive 2014/53/EU were published in the Official Journal (on 11 November - [C 416/5](#) and on 14 October [C 381/1](#)). However, Orgalime has recently raised the urgent issue of the timely availability of harmonised standards, the lack of which (under Articles 2.2 and 2.3 – essential requirements) will have a negative impact on the implementation obligations of manufacturers placing radio equipment on the market by 13 June 2017. This problem is also causing legal uncertainty for manufacturers integrating radio modules into their equipment as they cannot use EN ETSI standards to obtain the presumption of conformity to the RED. If some harmonised standards under the RED are not listed in the Official Journal by 12 June 2017, Article 17.4 of the RED will require manufacturers to undertake third party certification for compliance with the essential requirements under Articles 3.2 and 3.3. This would undeniably generate additional costs and burden for the industry that is mostly using module A (self-

declaration of conformity). As pragmatic solutions, Orgalime proposes the following, to be communicated by its members to national authorities:

- listing in the OJEU under the RED all existing harmonised standards that are listed under the R&TTED. Such listing could specify that presumption of conformity would be subject to the condition that manufacturers carry out a complementary impact assessment to demonstrate conformity with the requirements of Article 3.2 of the RED.
- changing the standardisation mandate under the RED to allow for the further use of R&TTED standards, at least for a provisional period of two additional years (until June 2019).

The RED TCAM WG meeting took place on 3 and 4 November 2016 to discuss the implementation of the RED, particularly the state of play of the RED Guide, combined equipment and the availability of RED harmonised standards. Combined equipment (non-radio products incorporating a radio module) remains an open issue as there is no common understanding among authorities, the European Commission and TCAM on how non-radio products including a radio module should be handled under the RED. The issue of combined equipment is expected to be on the agenda of the next ADCO RED meeting in February 2017.

The latest draft RED Guide was made available on 11 November. This document is available from the [secretariat](#). Final comments can be submitted to this draft by 5 January 2017. The Commission plans to publish a first revision of the RED Guide in February, and envisages a second version (which will also integrate the controversial issues and open questions) in May 2017.

REACH Regulation

As it happens every 5 years, the European Commission is performing a review of the REACH Regulation. They have notably launched a [public consultation](#), which runs until 28 January 2017. The review process aims to evaluate strengths, weaknesses and shortcomings of this legislation in the light of 5 main criteria: effectiveness, efficiency, relevance, coherence and EU added value. The Commission will publish its general report on the functioning of REACH in June 2017. At this stage, the industry calls for improving REACH through its implementation rather than a revision of the Regulation.

Nanomaterials

The European Commission proposed an “[EU Nanomaterials Observatory](#)” instead of an EU-wide register to increase transparency on nanomaterials. The European Chemicals Agency (ECHA) has been mandated to develop a tool to collect information on products and safety aspects of nanomaterials in the EU market. The objective is to gather all available information in one place and present it in an easily understandable way to business, workers, consumers and authorities. This observatory is expected to be launched around summer 2017.

RoHS Directive

The European Commission will table a proposal to revise the scope of the RoHS2 Directive, which is expected early 2017. Discussions will then start in the European Parliament and the Council.

This review addresses a series of problems that cannot be solved by exemptions and guidance. This will notably address the current impossibility to repair with spare parts new-in-scope equipment after July 2019. In line with the “repair as produced principle”, the Commission intends to propose a specific exclusion for cables and spare parts for the repair, reuse or upgrading of capacities of new-in-scope

equipment placed on the market before the restriction applies (i.e. July 2019). This will also address the existing ban of secondary market operations new-in-scope equipment after July 2019.

In addition, the Commission is likely to tackle the different treatment of cord-connected non-road mobile machinery and identical machinery powered by an engine or battery. As a reminder, the RoHS Directive currently excludes non-road mobile machinery with an on board power source made available exclusively for professional use. According to the draft proposal, the Commission will also exclude NRMM powered through a traction drive. As a consequence, specific types of industrial trucks and MEWPs that are connected to the grid will benefit from this new exclusion.

Restriction of the use of hazardous substances in China

As a reminder, the 'China RoHS 2' legislation applies since July 2016. So far, only the labelling of product content (hazardous materials table) is mandatory: manufacturer must provide information according to the existing standards.

As regards the substance restriction, the list of chemicals is specified in the 'China RoHS 2', but there is no requirement in place. Indeed, the Chinese authorities should first publish a list of equipment subject to restriction, so-called "Compliance Management catalogue". The Chinese Ministry of Industry and Information Technology (MIIT) has issued a draft "catalogue" including 14 types of equipment: no type of materials handling equipment is part of this draft list.

Ecodesign Directive

As part of the "[Clean energy for all Europeans](#)" package, the long-awaited [Ecodesign Working Plan](#) was finally published on 30 November 2017. It lists 7 priority product groups for possible Ecodesign and energy labelling measures for the period 2016-2019, such as lifts. The Working Plan neither tackles material handling equipment, nor set up a horizontal measure affecting the FEM industry.

First, the European Commission highlighted the key role of the Ecodesign framework to reach the EU energy efficiency target. In addition, they embed Ecodesign in the Circular Economy policy. Indeed, recyclability, durability, reparability and disassembly aspects will be considered not only for new product groups, but also upcoming reviews of existing Ecodesign measures. However, the European Commission stressed the need for verifiable and enforceable requirements as well as avoiding significant losses of performance or usefulness for consumers.

As far as the Ecodesign measure on electric motors is concerned, the review is still ongoing. Activities are likely to resume early 2017 since Commissioners reiterated their political support for the Ecodesign framework. The final revised measure on electric motors, which mainly aims to extend the scope of this regulation, is expected in the second half of 2017.

Finally, the European Commission amended most of the existing [Ecodesign regulations](#), especially the provisions on verification tolerances (see [annexes](#)). As regards electric motors, this amendment does not modify the verification tolerance values, but it ensures that such values can only be used by Member State authorities for the purpose of verifying compliance. Indeed, tolerance values cannot be used by manufacturers or importers to communicate a better performance of their products.

Trade

Bilateral trade negotiations

EU-USA (TTIP)

Following the election of Donald Trump in the United States, the future of the Transatlantic Trade and Investment Partnership (TTIP) is at stake. Mr Trump, who is decidedly not supportive of foreign trade agreements, has already declared as President-elect that he will not ratify the Trans-Pacific Partnership with Asian countries. His strategy towards trade with the EU remains unclear as a public statement from his side is still pending. In any case, as it is expected that it will take around six months to have the new US negotiating team in place, TTIP negotiations are foreseen to slow down in the first half of 2017.

In the meantime, ECORYS, an external consultant contracted by the European Commission, has published its draft final report in view of the sustainability impact assessment on TTIP (see [here](#)).

EU-Canada

The [Comprehensive Economic and Trade Agreement](#) (CETA) between the European Union and Canada was adopted by the Council and officially signed on 30 October in Brussels during the EU-Canada summit. The next step in the process is the consent of the European Parliament, after which most parts of the CETA can be provisionally applied. As a first step, the International Trade Committee should cast its consent vote by January 2017, followed by the vote in plenary. Recently, a motion to ask for the opinion of the European Court of Justice about the compatibility of the CETA investment provisions with the European treaties, which would have delayed the provisional application of the treaty, was not supported by the European Parliament.

Negotiations between the EU and Canada started back in 2009. In mid-2014, the conclusion of the EU-Canada negotiations was announced. Following the replacement of the investor-state dispute settlement (ISDS) arbitration system with the Investment Court System (ICS) at the request of the EU, the legal review of the text was completed in February 2016.

Industry widely welcomes the upcoming finalisation of CETA since it eliminates tariffs for engineering products, simplifies customs procedures and opens up public procurement to EU parties at both federal and regional levels in Canada.

EU-Vietnam

On 2 December, European Commission President Juncker and Prime Minister of Vietnam Dung announced the formal conclusion of the negotiations for an EU-Vietnam Free Trade Agreement. On 1 February 2016, the [preliminary text](#) of the agreement was already published. The legal review of the text has begun. The text will then be translated into all EU languages and into Vietnamese before being presented to the Council for ratification and the European Parliament for consent in early 2017. It is expected that the agreement can enter into force beginning of 2018.

Conflict minerals

On 22 November, the European Commission, the Council and European Parliament reached a final political agreement on the upcoming EU regulation on “conflict minerals”. This regulation will ensure that due diligence checks, in accordance with [OECD guidelines](#), become mandatory for EU firms

importing tin, tungsten, tantalum and gold and their ores from conflict and high-risk areas, in order to stop this trade being used to help fund conflicts and human rights abuses. Very small-size EU importers such as jewellers or dentists will remain exempt from these due diligence obligations to avoid bureaucratic burden. Recycled metals, existing EU stocks and by-products are also excluded from the scope of this regulation.

National authorities will be responsible for ensuring compliance by companies and also for determining penalties for non-compliance, both to be monitored by the European Commission. Moreover, larger EU companies which are subject to the [EU law on "non-financial reporting"](#) (over 500 employees) and which buy tin, tantalum, tungsten and gold to use in their products will be encouraged to report on their sourcing practices based on new performance indicators. These businesses will be able to join an EU registry and report voluntarily on their "due diligence" practices. According to the Commission, the overall goal is to ensure sustainable sourcing for more than 95% of all EU imports of tin, tungsten, tantalum and gold, which are bound to be covered by these due diligence provisions as of 1 January 2021.

With regard to the formal next steps, the regulation will now be adopted by the Council and the European Parliament, the latter voting on the final agreement in the so-called INTA Committee and finally in plenary at the beginning of 2017. The regulation should be published by the end of 2017.

Intellectual Property

EU Patent

The Agreement on the [Unified Patent Court](#) (UPC) was ratified by the United Kingdom at the recent EU Competitiveness Council meeting in Brussels on 28 November 2016. This is regarded as one of the last steps towards the establishment of a single patent court for Europe, and with it the entire unitary patent regime in general.

The new [Unitary Patent regime](#) can come into effect only when at least thirteen Member States have ratified the Agreement on the UPC, including France, Germany and the UK. To date, eleven have done so, including France, with ratification procedures well advanced in Germany, Italy, Slovenia and Lithuania. The European Patent Office (EPO) will grant Unitary Patents, making it easier to secure patent rights in Europe and provide greater country coverage than is possible today for the same investment. The last few ratifications should take place in the coming months with the UPC expected to start its work in mid-2017.



Product Groups' corner

Cranes & Lifting Equipment



FEM Cranes & Lifting Equipment Product Group and ESTA (European Association for Abnormal Road Transport and Mobile Cranes) are co-organising an Expert Summit on ***“New Challenges in on-shore Wind Farm Construction”***. The event will take place on **23 February 2017** at the Bucerius Law School in Hamburg (Germany).

The purpose of the event is to improve communication across the supply chain, from developer and turbine manufacturers to crane and transport manufacturers and rental companies, in order to help them raise standards, boost productivity and reduce the number of accidents.

The programme will include risk management, detailed accident reviews, crane design, productivity, on-site delivery and transportation standards and improving supply chain relationships.

For more information, see the dedicated [BROCHURE](#) or visit www.estaeurope.eu/summit

Industrial Trucks

FEM Product Group Industrial Trucks has just released the World Industrial Trucks Statistics for the 3rd quarter of 2016. They can be found either in the section “Industrial Trucks” or in the section “General Publications” of FEM website.

Intralogistic Systems

The Intralogistic Systems Product Group collects two sets of statistical data for its members on:

1. Storage and retrieval machines (automatic and manually controlled S/R machines, machines in mini-load storage and shuttle systems for pallets and boxes);
2. Intralogistic systems (materials handling equipment, controls, IT and additional services).

These two sets of statistics provide a good picture of the size and evolution of the intralogistic systems market. Although the aggregated results are only provided to participating companies, the general trends are published every year on the FEM website (see [2015 factsheet](#)).

For more information or to participate in these statistics, please contact the Intralogistic Systems PG Secretariat.



Publications & events

TRADE FAIRS CALENDAR



2-4 Mar 2017
Jakarta
[Link](#)



16-19 Mar 2017
Istanbul
[Link](#)



3-6 Apr 2017
Chicago
[Link](#)



16-19 May 2017
Sao Paulo
[Link](#)



19-21 Sep 2017
Moscow
[Link](#)



5-7 Oct 2017
Piacenza
[Link](#)



31 Oct – 3 Nov 2017
Shanghai
[Link](#)



This newsletter is reserved to FEM members

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