



Brussels, 26.6.2018
C(2018) 3925 final

COMMISSION IMPLEMENTING DECISION

of 26.6.2018

**on the publication of the reference of the harmonised standard EN 1621-4:2013 on
"Motorcyclists' protective clothing against mechanical impact - Part 4: Motorcyclists'
inflatable protectors - Requirements and test methods" pursuant to Regulation (EU) No
1025/2012 of the European Parliament and of the Council**

(Text with EEA relevance)

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council¹, and in particular point (a) of Article 11(1) thereof,

After consulting the Committee established by Article 22 of Regulation (EU) No 1025/2012

Whereas:

- (1) Article 11(1), point (a), of Regulation (EU) No 1025/2012 provides for the procedure to deal with formal objections to harmonised standards, entitling the Commission to decide to publish, not to publish or to publish with restriction the references to the harmonised standard concerned in the Official Journal of the European Union.
- (2) Directive 89/686/EEC lays down the conditions governing placing on the market and free movement of personal protective equipment within the Union and the basic safety requirements which that equipment must satisfy in order to ensure the health protection and safety of users.
- (3) In January 2013, the European Committee for Standardisation (CEN) adopted the harmonized standard EN 1621-4:2013 on “Motorcyclists' protective clothing against mechanical impact - Part 4: Motorcyclists' inflatable protectors - Requirements and test methods”, but its reference has not yet been published in the Official Journal of the European Union. In May 2013, France lodged a formal objection in respect of that standard.
- (4) The ground of that formal objection is the alleged failure of the referenced standard to comply with the basic health and safety requirements laid down in Annex II to Directive 89/686/EEC, namely the general requirement in point 1.2.1. “Absence of risks and other ‘inherent’ nuisance factors” and the additional requirement in point 3.1.1. “Impact caused by falling or projecting objects and collision of parts of the body with an obstacle”.

¹ OJ L 316, 14.11.2012, p. 12.

- (5) The main shortcomings identified by France are the following: the standard does not contain any pressure test allowing verification that the efficiency pressure is reached at the moment of the impact as the method used for the determination of the inflation time is a visual method; the standard does not provide for multidirectional testing of the airbag deployment; the thickness of the airbag is not taken into account in the definition of the protection zones; the impact test described in the standard is not suitable for an inflatable protection as the test is the same as for rigid protections.
- (6) The arguments presented by France in the formal objection are not sufficiently substantiated. The method laid down in the standard enables to determine, at the moment of the impact, whether the shock absorption provides the necessary protection. In addition, it was not demonstrated that the airbag deployment test and the thickness of the airbag do not comply with the general requirement in point 1.2.1 of the basic health and safety requirements of Directive 89/686/EEC. On the impact test, the aim of the test is to measure the impact attenuation (transmitted force), therefore the test corresponds to the additional requirement in point 3.1.1 of the basic health and safety requirements of Directive 89/686/EEC.
- (7) The reference of the harmonised standard EN 1621-4:2013, should therefore be published in the Official Journal of the European Union,

HAS ADOPTED THIS DECISION:

Article 1

The reference of the harmonized standard EN 1621-4:2013 on “Motorcyclists' protective clothing against mechanical impact - Part 4: Motorcyclists' inflatable protectors - Requirements and test methods” shall be published in the *Official Journal of the European Union*.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26.6.2018

For the Commission
Elżbieta BIEŃKOWSKA
Member of the Commission

