



For the attention of: Simon Allder
Company: Allder Group
Date: 19th December 2018
Subject: Applicable European regulations and directives
Project and document number: 8173 / 18D2139
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1. EXECUTIVE SUMMARY

- 1.1. Under the name of iTip® handles, the manufacturer commercialises two handles (fully patented) that can fit on wheelbarrow tubes (with sizes ranging from 22mm through to 32mm).
- 1.2. More information is available on the manufacturer website:
<https://www.itiphandles.com/>.
- 1.3. The manufacturer claims that *“adding iTip® handles to a wheelbarrow is the safest and easiest way to tip a loaded wheelbarrow, sack trolley, cement mixer or anything else that requires controlled movement. It completely removes the moment when the laden barrow is at mid tipping point of balance when you need to change position of grip from above to underneath. It is hugely beneficial for users with mobility or dexterity issues”*.

2. Conformance Ltd.

- 2.1. Conformance is the UK's leading specialist in Product Safety Regulations and CE Marking Directives.
- 2.2. Conformance was established at the beginning of 1994; our client base includes manufacturers and importers from the UK and countries around the world. Our expertise covers a wide range of CE marking directives including the Machinery, Low Voltage, ATEX, Pressure Equipment, EMC and RoHS Directives.

3. Introduction to CE marking

- 3.1. The European Community develops and updates general rules for placing products on the market. These rules are established in European Directives and Regulations. The implementing procedures for these two types of legislation are different, but both have to be observed as laws by any European Member State.
- 3.2. Some European Directives and Regulations belong to the 'CE marking' subset of European regulations. By default, CE marking Directives or Regulations require that products that fall within their scopes shall bear the CE marking and that the manufacturer shall complete and sign a Declaration of Conformity.
 - 3.2.1. It is unlawful to apply the CE marking if the product does not fall within the scope of application of any 'CE marking' Directive or Regulation.
 - 3.2.2. If a product bears the CE marking, the manufacturer implies that it complies with all of the applicable 'CE marking' Directives or Regulations.
- 3.3. The key concepts that apply to all the products covered by a CE marking Directive or Regulation are established in what is commonly called 'The Blue Guide'¹.

¹ <http://ec.europa.eu/DocsRoom/documents/18027/>

4. CE marking directives

4.1. There are no CE marking directives that apply to the iTip® handles.

4.2. The item is intended to be used in the home and work environment. Because it is not powered, the following directives are excluded:

- Machinery Directive 2006/42/EC;
- Low Voltage Directive 2014/35/EU;
- Electromagnetic Compatibility Directive 2014/30/EU;
- Restriction of Hazardous Substances Directive 2011/65/EU;
- Eco-Design Directive 2009/125/EC.

4.3. The complete list of the CE marking Directives can be found below and, clearly, none of them apply to the iTip® handles:

- Active Implantable Medical Devices;
- Automotive Electromagnetic Compatibility;
- Batteries;
- Cableway Installations for Passengers;
- Civil Uses of Explosives;
- Gas Appliances;
- In-vitro Diagnostic Medical Devices;
- Lift Safety;
- Measuring Instruments;
- Medical Devices;
- Noise Emissions;
- Non-automatic Weighing Equipment;
- Non-Road Mobile Machinery Exhaust Emissions;
- Personal Protective Equipment;

- Pressure Equipment;
- Radio Equipment;
- Recreational Craft;
- Simple Pressure Vessels;
- Tobacco Products;
- Toy Safety;
- Transportable Pressure Equipment;
- ATEX: does not apply because the item is not used in areas with a risk of explosion;
- The Construction Products Regulation does not apply because the item is not incorporated into completed construction works.

5. Non-CE marking Directives

- 5.1. The General Product Safety Directive 2001/95/EC applies to any product that is placed on the market. Advice regarding this directive can be found on our website:
<https://www.conformance.co.uk/ce-marking/68-ce-directives/general/232-general-product-safety>
- 5.2. Products placed on the market have to be safe; this can be verified through risk assessment, testing or other suitable means. This should be backed up by collecting feedback from the market (including customer suggestions, queries and complaints) and assessing whether these observations have an impact on safety.
 - 5.2.1. For example, if someone has raised concerns regarding the handles being capable of changing the balance of the wheelbarrow, an assessment regarding this hazard and of its possible hazard should be conducted.
 - 5.2.2. It is always good practice to keep records of the feedback and of the internal assessments carried out on these products.
- 5.3. The REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) Regulation² applies. REACH aims to:
 - 5.3.1. Prevent the use of Restricted Substances (RS); and
 - 5.3.2. Reduce the use of Substances of Very High Concern (SVHCs)
- 5.4. These substances are listed in the REACH Regulation.
- 5.5. As a manufacturer of plastic items, your obligations can be satisfied by ensuring that the suppliers of your raw materials confirm that no RSs or SVHCs are used.
- 5.6. If any of these substances are used, you should verify that the level of each one is below 0.1%. If this is confirmed, then no further action is required.

² <https://echa.europa.eu/regulations/reach/legislation>

6. Conclusion

- 6.1. The product must not be CE marked and the manufacturer shall not sign an EU Declaration of Conformity.
- 6.2. The raw materials used for the manufacturing of the iTip® handles shall comply with REACH.

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