Free movement or free to harm?

Can you go out and buy today in the European Union, protective equipment - CE-marked category III gloves which are *"of complex design intended to protect against mortal danger or against dangers that may seriously and irreversibly harm the health, the immediate effects of which the designer assumes the user cannot identify in sufficient time" (article 8.4 a Directive 89/686/EEC)* designed to protect the wearer's hands against hazardous chemicals and microorganisms - being distributed and sold with holes, not a single word in the user's language, or any instructions for use? In theory no. Manufacturers must design and produce their goods in compliance with the essential requirements of Directive 89/686/EEC. But in practice, users find that it is sadly not always the case.

Some countries operate effective market controls. Finland's Ministry of Social Affairs and Health, for example, told the Commission last April (using the safeguard clause of article 7 of PPE Directive 89/656/EEC) that it was banning the marketing of these gloves in Finland until the manufacturer put them into conformity.

The gloves were manufactured in the United States by a producer represented in Europe by a Belgian-based company and marked by French notified bodies. The French Ministry of Labour and Social Affairs has launched an investigation. We have no information about the distribution of these gloves in Europe (or elsewhere), nor about the damage that may have (and still may yet) resulted from these defective, improperly marketed products. The failings and lack of harmonization of control procedures in most countries (apart from the Nordic Countries and France) demand close attention from the Union Member States. And require the trade union movement to consider its role in supporting and promoting effective controls on products allowed free movement in the Union (machinery, PPE, lifts,...).

For further information, contact Giulio Andrea Tozzi at the TUTB: gatozzi@etuc.org.