

	CO-ORDINATION OF NOTIFIED BODIES PPE Regulation 2016/425 RECOMMENDATION FOR USE	PPE-R/00.076 Version 07
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Question related to	☒ PPE Regulation	☐ EN/prEN: ☐ Other:
Article: Recital 10, Article 2, 3(1a)	Annex: II, Prelim. 2 & 5, & 1.2.1.	Clause:
Key words: foreseeable uses		
Question: If the design of PPE appears to offer protection for a reasonably foreseeable use, and the manufacturer provides only a warning against that use within user instructions, has the manufacturer complied with EHSR obligations for reasonably foreseeable uses? A clear example is garments with reflective or fluorescent elements included for reasons of design or decoration that could be perceived as ‘signalling the user’s presence visually’, when considering lawful and readily predictable human behaviour.		
Solution: No. If a particular design conveys a reasonably foreseeable use for which protection is not offered, then the manufacturer has not met Annex II Preliminary remarks 2 and 5, and EHSR 1.2.1 – i.e. a user may select wrongly for use. A notified body should therefore require testing and evaluation to that reasonably foreseeable use, else require that the design of the PPE be adapted to comply with the regulation. Design adaptations should be elimination, for example: 1) Removal of retroreflective or fluorescent elements that could be foreseen to signal a user’s presence; 2) Substitution of materials offering impact or mechanical protection on the ankles of boots. Where elimination is not possible, adaptations may be carried out to the PPE, but must be clearly visible on the PPE, for example: 1) Colour coding and/or pictograms to identify specific intended uses on respiratory filters; 2) Written statements indicating maximum mass on fall arrest connectors; 3) Colour coding and/or pictograms to warn users of non-intended uses like forbidding loading over an edge pictograms in RTFA; 4) Written warnings against specific non-intended uses, in a bi-component jacket system, offering cold protection only where both inner and outer garments are zipped together.		