



EUROPEAN COMMISSION  
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Chemicals, metals, mechanical, electrical and construction industries; Raw materials  
Mechanical, Electrical and Telecom Equipment

Brussels, 30 AOUT 2011  
DG ENTR/G4/AMR/rf/D(2011) 1007543

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Mr. Bernd Stümer  
Väla Gård, Helgarö  
64592 Strängnäs  
Schweden

**Subject : Wind generators**

Dear Mr. Stümer,

I thank you for your complaint concerning some allegations on the installation of wind turbines and the application of Directive 2006/42/EC of 17 May 2006 on machinery (hereinafter the "Machinery Directive").

According to your complaint, the procedures for authorising the installation and operation of wind generators in Sweden make no reference to the Machinery Directive and conformity with the Machinery Directive is not required when authorisations are granted by the Swedish authorities.

You further allege that the Swedish authorities in charge of implementation of the Machinery Directive, while acknowledging that the Machinery Directive is applicable to wind generators, have failed to carry out any market surveillance with respect to wind generators and that none of the wind generators installed in Sweden in fact comply with the Directive.

The Swedish authorities have replied by letter of 27/5/11 to our request for information regarding the above.

The Machinery Directive has been transposed in Sweden by the Work Environment Authority's Regulations on Machinery and General Advice on Implementing the Regulation (AFS 2008:3) [*Arbetsmiljöverkets föreskrifter om maskiner samt allmänna råd om tillämpningen av föreskrifterna*], on the basis of the Work Environment Act (1977:1160) [*Arbetsmiljölagen*] and the Work Environment Ordinance (1977:1166) [*Arbetsmiljöförordning*].

According to the information submitted by the Swedish authorities, wind generators require notification or authorisation under the Environment Code [*Miljöbalken*] and sometimes also a building permit under the Planning and Building Act (2010:900) [*Plan- och bygglagen*]. Testing under these acts concerns different matters from those regulated by the Machinery Directive. This means that the Work Environment Authority does not participate in the testing of wind generators which takes place in accordance with the Environment Code and the Planning and Building Act.

As concerns market surveillance activities, the Work Environment Authority has carried out market surveillance in accordance with the Machinery Directive and is working actively on the subject. In the course of its supervision it has not yet found any need to intervene.

The Commission services have come to the conclusion that no evidence has been submitted of an infringement of the abovementioned directive. In the absence of legal grounds, the Commission services do not intend to register this case as a formal complaint and will be closing it.

Yours sincerely

P.P.

Luis Filipe Girão

