

# KEEPING BREWERIES BREWING

**If you're buying new or second-hand equipment for your brewery or your distillery, do you know what regulations apply? If you need some help our new blog might be able to point you in the right direction.**

The UK Craft brewing industry like other UK businesses is facing rising costs and changes in consumer demand. Whether you are buying second hand plant or trying to extend the life of the assets you currently use in your production process there are actions you can take to ensure that you are fully compliant with the relevant regulations and that you are maximising the lifecycle of your equipment to in order to reduce cost.

With new breweries and new distilleries popping up in increasing numbers do you know what to look for when buying or replacing lifting or pressure equipment for your business?

## LIFTING EQUIPMENT

Workplace transport accidents are the second biggest cause of fatal injuries within the Food and Drink Manufacturing sector, therefore it's really important that when you are buying machinery you select equipment that is the right type of equipment for the job and that the equipment is in a safe condition.

The Supply of Machinery (Safety) Regulations 2008 require that machinery is safe when it's supplied, that it comes with a Declaration of Conformity, user instructions in English and that it is CE marked.

It is the responsibility of the manufacturers and immediate suppliers to ensure these conditions are met before equipment is put into service for the first time if it has not previously been in use in Europe.

Users of machinery have responsibilities under the Provision and Use of Work Equipment Regulations 1998 (PUWER) to ensure they select and provide suitable work equipment for their work environment to ensure that it is used correctly and to keep it maintained in a safe condition. In a nutshell when buying new equipment users are required to check:

- That it is CE marked
- That it is supplied with a Declaration of Conformity and user instructions in English; and
- That it is free from any other obvious defect.

When considering what equipment to buy think about where and how it will be used, how often it will be used, the impact of the machine on its surroundings e.g. will it affect access to other areas and whether your workers have the skills to use it.

In addition to ensuring that new machinery meets these requirements users have a continuing responsibility to ensure their machines are properly maintained and thoroughly examined by a competent person of sufficient independence.

If you are purchasing second hand equipment you should ensure that the equipment is CE marked, has a Safe Working Load (SWL) clearly marked and that there is a current report of thorough examination in line with the Lifting Operations and Lifting Equipment Regulations ensuring that any defects which may have been identified have been rectified by the seller.

### **WHAT DOES ALL OF THIS MEAN TO ME?**

Put simply it means:

- you need to make sure you choose the correct equipment for the job
- that the equipment is properly constructed
- that it is used in a safe environment
- that employees are properly trained to use it
- that it is regularly maintained; and
- that you arrange for periodic thorough examinations to check that it is safe for continued use and is free from defects.

### **CASE STUDIES**

In a recent case a brewery was fined a total of over £60,000 after a delivery driver was hit by a fork lift truck while on site.

The HSE found that the firm had failed to implement a safe work transport system which lead to the driver being struck by the machine which trapped his leg beneath the forks. The company was found to have inadequate risk assessments which would have prevented pedestrians coming into contact with the workplace transport.

In another case a brewery was prosecuted by the HSE for operating with unsafe work at height practices and manual-handling deficiencies at its production plant. When the HSE visited the site, they found that workers were filling hoppers with malt and barley in an unsafe manner.

### **PRESSURE SYSTEMS**

Supplying Pressure Equipment The Pressure Equipment (Safety) Regulations 2016 apply to the design, manufacture and conformity assessment of pressure equipment with a maximum allowable pressure greater than 0.5 bar. When thinking about buying new or second-hand pressure equipment for your brewery or distillery there some important points to consider.





Installers, manufacturers and importers of pressure equipment must comply with the Pressure Equipment (Safety) Regulations 2016 which brings the Pressure Equipment Directive 2014/68/EU into UK law.

Under these regulations the responsible person **MUST** ensure that before they put pressure equipment onto the market for the first time that it complies with safety requirements covering design manufacture and testing and that it satisfies appropriate conformity assessment procedures.

The manufacturer must classify the equipment; determine the conformity procedure and draw up the relevant technical documentation which includes a declaration of conformity and a CE marking. They must also label their products with their name, registered trade name or trade mark and the batch serial number and ensure that it is accompanied by instructions and safety information in a language that can be understood by the end user.

Importers and Distributors must also make sure that before placing pressure equipment on to the market that the above steps have been followed. The Health and Safety Executive are responsible for enforcing the Pressure Systems Regulations and non-compliance could lead to unlimited fines or in some cases imprisonment for up to two years.

These regulations are designed to protect users of pressure systems and to ensure that when they purchase this type of equipment they do so in the knowledge that it has been manufactured in line with the regulations and they have the paperwork to back this up.

## **PURCHASE AND USE OF PRESSURE SYSTEMS**

As the purchaser of a pressure system, whether new or second-hand you should always consider: -

- That the equipment has been designed to a recognised standard or code and in compliance with the relevant EU Directives
- Whether the equipment is suitably marked with essential information such as the manufacturer, unique identification, design pressure and temperature
- If there is any supporting documentation to confirm provenance of the equipment
- If second-hand whether the equipment comes with any past reports of examination under the Pressure Systems Safety Regulations 2000
- Whether the equipment has been modified or has it had significant repairs and if so whether these have been approved by a competent person.

- If second-hand have you considered a prior to purchase examination by a competent person such as Vulcan Inspection Services, to determine the equipment's integrity
- If the equipment is fitted with adequate protective devices such as relief devices that discharge to a safe area and pressure/temperature as required
- Have you engaged with the services of a competent person to ensure a Written Scheme of Examination is produced to comply with regulation 8 of the PSSR and an initial examination is undertaken before the pressure system goes into use
- Where markings are deficient and supporting documentation is missing have you sought advice from a competent person relating to the equipment's suitability for use in a pressure system subject to the PSSR?

### CASE STUDY

Vulcan Inspection Services were asked to inspect a second-hand boiler in a small brewery. When the Engineer Surveyor visited the site for the first time he became aware that the boiler had very minimal system information in order to verify the Safe Operating Limits, which meant he was unable to create a Written Scheme of Examination or undertake a thorough examination in line with the PSSR.

Vulcan Inspection Services would need to carry out specialist services costing several thousands of pounds in order to verify the integrity of the vessel.

Had the customer asked VIS to undertake a Prior to Purchase examination the lack of documentation would have been picked up and the brewery would have been made aware of this before buying the equipment.

In addition to checking second hand equipment before you buy it – and completing the in-service thorough examinations which are required by law, Vulcan Inspection Services can also offer Condition Monitoring of some of your equipment in order to predict failures and prolong the life of your equipment.

### SUMMARY

As the user of either lifting machinery or pressure equipment it is important that you are aware of the regulations which govern both the supply and the continued use of the plant.

As the inspection partner for NFU Mutual, Vulcan Inspection Services can undertake both Prior to Purchase exams and in-service thorough examinations of your equipment to ensure that they comply with the regulations.

For further information contact your local NFU Mutual Agent or **Melissa Boyes**, Vulcan Inspection Services Account Director on **01789 265355**.