

Information for ixetic Suppliers

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Reversal of the Burden of Proof in Product Liability

In case of damages the principle of the reversal of proof is in favour of the consumer. According to this principle, the manufacturer is required to prove their innocence. Such proof is usually supported by documentation.

In the face of complex technology it is normally not possible for the unversed consumer to issue proof to the experienced and knowledgeable manufacturer. Jurisdiction presupposes that, as a rule, the consumer is unaware of the production process. The manufacturer, on the other hand, can clarify the facts of the case. When there has been no irregularity, the manufacturer is in a position to prove their innocence. If this is not the case, the manufacturer is alleged to have acted with negligence. In order to prove their innocence, the manufacturer has recourse to documentary evidence which is the most secure means of evidence. Every piece of paper that has explanatory character and is not to be seen as a notarial deed is regarded as a document.

Example: A faulty pushrod caused a serious accident seven years after being in use. Thereupon, the manufacturer was called upon to prove that the pushrods had left the factory in faultless condition. Inspection certificates showed that all pushrods had been tested individually. However, without the signature of the inspector to confirm that inspection had been carried out, the documents were not significant. The manufacturer did not succeed in proving his innocence and was made liable for damages.

In the case of a reversal of the burden of proof, therefore, it must be specified how to handle documents and records. Such a regulation must include the duration and place of safekeeping, the name of the person responsible for handling and the date of release for destruction. All suppliers can contribute to providing gap-free documentation, in order to be able to produce significant evidence in case of damages and/or to be able to reverse the burden of proof.

Reinforcement of Staff in QA-Purchasing Parts

Ms Schuster joined the QA-Purchasing Parts Department in Bad Homburg on 1 August, 2007 and is mainly responsible for tracking and inspecting initial samples. Her area of expertise is the inspection of the materials data of our customers and suppliers in our international materials database system (IMDS). Mr Schellhorn is in charge of the inspection of materials data in IMDS in Hückeswagen.

Targets for 2008

As in the past, the new target figures for 2008 will be distributed within the next four weeks. Kindly take these into consideration when planning capacity for the year ahead.

Reinforcement of Staff in the Purchasing Segment „New Markets“

Two new employees have been taken on in Bad Homburg to support the activities in the area of procurement marketing „New Markets“. Ms Loos took up office on 29 May, 2007 and Ms Minimalaparampil assumed office on 1 July, 2007.

ixetic at the IAA (International Motorshow)

This year ixetic will be represented at the Motorshow in Frankfurt as an independent company. We cordially invite you to visit us at our booth **No. F02 in Hall 4.1** from 13 – 23 September, 2007. On 13 and 14 September, our General Manager, Mr Georg Wolf, will be available for talks. Inform yourself „live“ through our product programme and our contributions to the topic of energy efficiency. A glance at our new eco-friendly CO₂-climate compressor should also be worthwhile.

The ixetic news are available under www.ixetic.com in English and German.

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