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Info trends

OMs for the USA – minimising the liability risk

Documentation: What are the important points when designing operating manuals in order to minimise product liability risk in the USA – this is the key question of the article below. What can we in Technical Documentation do in order to limit the risk? (Copy: Peter Rudnicki, Managing Director)

Legal framework

While in Europe the courts of justice are divided by subject specialisation, the legal system in the USA includes various types of court, both at state and federal level (district courts), including the supreme court, which is the highest court of appeal for federal law only. In addition, each state has its own supreme court as the highest court of appeal.

It follows that anybody exporting to the USA has to take account of the law of 52 individual states. A product liability law as such does not exist. Liability claims are dealt with under state legislation because the laws can differ from state to state. In addition, when an accident occurs, local ordinances, the regulations of employers' liability insurance associations and possibly federal regulations may apply. It is therefore almost impossible to cover all risks 100%.

Operating manual and warning signs – integral parts of a product

"Made in Switzerland" has a special repu-

tation worldwide, representing quality and reliability. However, does that also apply to operating and instruction manuals etc. for the USA?

At the beginning of a case, the claimant's solicitor is usually not so interested in whether standards and regulations have been complied with, because to prove such a point with expert witnesses is costly. He will usually look straight away for a weak point, e.g. the inadequacies in European manuals.

The so-called instruction risks are of particular importance – these are the risks associated with operating and instruction manuals, warnings and all other manufacturer statements.

In the USA, instruction risks are higher than in any other country; production and design defects account for only about 30% of all product liability cases whereas cases based on instruction risk account for 44%, a much larger proportion. Any error in the operating manual renders the entire delivered product faulty.

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The cat in the microwave – the synonym for the supposedly high product liability risk in the USA. But is it really that bad? No other country has instruction risks as high as those in the USA, therefore knowledge of the users of a product is of paramount importance. We will illustrate how such risks can be reduced, at least with regard to technical documentation.

More and more people use smartphones in day-to-day communication. It would therefore seem to be an obvious choice to use these devices for technical documents. Especially with younger people, an instruction via the web/an app increases the expectation of the quality of a purchased product. The magic term is cross-media publishing, in which data is

processed with an XML-based content management system that has been specially devised for the purpose of being able to issue information in digital form as well as in print – without generating higher costs.

Last but not least, please also consider our last article. Translations for marketing and advertising are a challenge for every specialist translator. Or did you never get annoyed by 1:1 translations for example of slogans which did not convey the right message at all in the target market – or which even generated an incorrect or distorted image of the product? This requires experienced "localisation" experts. Never heard of that? We will show you the difference between a translator and a localiser!

You can see that the requirements for "Information for a global market" are demanding, and specific knowledge is required.

That can only be achieved by a dedicated team of communications specialists. Why not try us out!

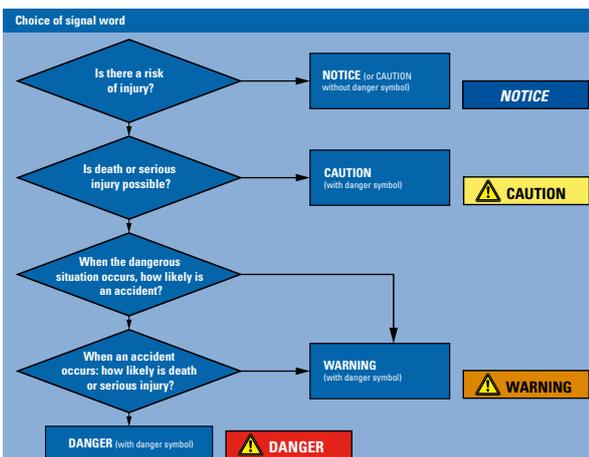


Peter Rudnicki
Peter Rudnicki
CEO & Head of Documentation



Arno Gander
Arno Gander
CEO & Head of Translations

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Source: ANSI Z536.6

Target group analysis – essential prerequisite for a safe OM

When a product is used, the associated risk depends largely on the knowledge and skills of the user group. For this reason, IEC 82079-1:2012 makes a fundamental distinction between "consumers" and "skilled persons". But there are also other characteristics that impact on the content and design of operating manuals. Limitations, such as impaired vision, and language ability have to be taken into account. Of key importance therefore are the machine users' degree of knowledge and skill.

- How do users handle the machine?
- What are the conditions in the working environment when working with the machine; what are the risks arising therefrom?
- What can be assumed about user knowledge and skill, and what cannot be assumed?

- What training/competence can be assumed?

A user group analysis is likely to be useful even before the risk assessment, because for a risk assessment to be good, the users must be known. It is best to carry out this analysis in a team, e.g. involving personnel from sales and service as well as editors; in this way, benefit is derived from the widest experience. This then results in clear guidelines for producing operating manuals:

- Consideration of the training standard.
- Straightforward access to information based on a good table of contents and key word index.
- Clear instructions in accordance with the step-by-step principle.
- Use of straightforward, simplified illustrations.
- Avoidance of specialist terms and abbreviations.

Risk assessment

Good risk assessment is the basis for a safe and reliable operating manual. The result aimed for is an identification and assessment of what are referred to as residual risks, i.e. those risks involved in the design and construction that cannot be further reduced with commercially reasonable and technically appropriate means. The US standard for risk assessment is ANSI B11.0 "Safety of Machinery; General Requirements and Risk Assessment".

Specific requirements

Some US standards contain detailed information and worded texts which have to be quoted in the operating manuals. In order to ensure that this happens, the relevant standards have to be researched, procured and worked through. Underwriters Laboratories (UL) issue numerous standards for certain machines and plant that are comparable to the European C standards relating to the safety of certain types of machinery.

One manual for all markets

That machines for the US market are "essentially" like the machines for other markets is a widespread but incorrect belief; even just a different supply voltage can result in significant changes to be made at various places in an operating manual, e.g. the connection, the troubleshooting and repairs sections. The instructions for a product for the US market must fully reflect the respective product and therefore have to be adjusted in all cases.

Ease of understanding

The ease of understanding and the thoroughness of instructions are particularly important. If a machine manipulation is not carried out, or incorrectly carried out, because the instructions are not easy to understand and this results in an accident, then the inadequacy of the instruction is deemed to contribute to the cause.

As a general principle, inadequate clarity in the instruction must not be compensated for by warning signs. It follows that operating manuals for the US market must primarily be easy to understand.

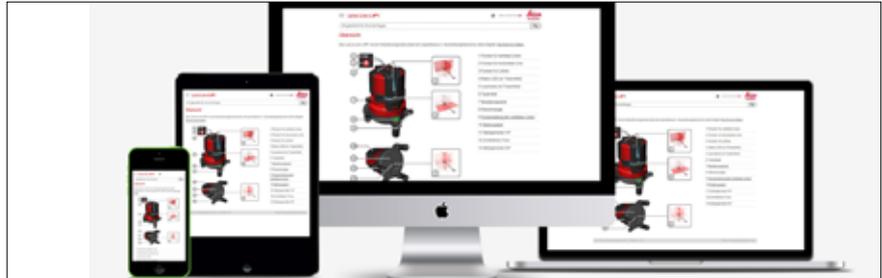
"Your customers will love our mobile documentation."

Documentation: smartphones and tablets have become commonplace very quickly. No less than 69 percent of Swiss citizens, or about 4.3 million people, own a smartphone and use it every day. As a result of progressive digitalisation, the publication of digital content via different channels is increasingly common. This poses the question as to whether, and how, Technical Communication should use these new channels.

Cross-media publishing

It is probably going to take another few decades until printed operating manuals are completely replaced by mobile versions. Experience has shown that in cases where an operating manual was only provided online, a PDF version was nevertheless required. The state authorities still request that machine manufacturers produce instructions in PDF form, even though the Machinery Directive considers mobile documentation to be sufficient from a legal point of view.

The art consists in publishing the existing content on different platforms without much additional cost. Content such as text, illustrations and diagrams should only be recorded once at a central location. From this single source it is then possible to issue manuals for different platforms, such as desktop, mobile or print. This saves much work and keeps costs down



easy to manage, and can be taken everywhere. Most people have their own smartphone that they can access at any time. It is quite possible for a large manual to consist of several hundred pages. Who is keen on carrying this heap of paper around with them? Mobile access to these documents is a great help in the field.

Tablets and smartphones have new functions that can be usefully employed for technical documentation.

How do we resolve these issues?

When we want to publish content via several media it is often necessary to re-edit the content to make publication on these platforms possible. It makes sense to split extensive technical illustrations into smaller units for mobile devices. This means that even technically complex processes can be conveyed via a smartphone.

Conclusion

Mobile documentation has a firm place in technical communication. The target group expects to be able to access documents online or via an app. The demand for mobile access to documents is expected to increase in the years to come. With the new, specially created software tools, it is now also possible to produce mobile documentation at a reasonable cost.

We would be happy to make you a comprehensive proposal and to give advice on a non-binding basis.



It is important to structure the existing information well, right from the beginning. It must be split into plausible information components so that they can be used in modular fashion. A good concept is the key to success.

XML-based content management systems that have been specially created for this purpose are used to set specific formats. This makes it possible to produce content which, as an example, is only intended for publication in print. Conversely, it is possible to hide online content, such as videos or animations, for the print version.

How to create added value with digital documentation?

Devices such as smartphones and tablets have genuine advantages. They are small,

For example, the camera of the device can be used to upload a QR or barcode. This is an easy and quick way for the user to access relevant technical documents.

By contrast to a printed version, mobile documents can easily be searched. This helps to find content quickly and saves the user the time and effort involved in searching through complex tables of content.

The presentation of documents is optimised for various devices. For example, images and text as well as the navigation are adjusted to the respective size of screen. This makes optimum use of the size of the display screen. Technical documents that are available online can be updated very easily. This is an enormous cost advantage compared to a printed version.



Markus Tobler
Head of Media



"Most errors are made in processing the data"

Translations for marketing and advertising – what are the key points?

Translation: translation of copy for marketing and advertising is a complex and often underestimated field. Documents include company magazines, brochures, press releases and newsletters, and translations are required of websites, slogans and text for social media

It is not sufficient to transpose the source text into the target language on a 1:1 basis. Marketing and advertising text should inform, create interest, convince and ultimately help to sell. This means that the translation must be appropriately worded so that it addresses the target group. Depending on the target market it may also be necessary to adapt the text. It is often the subtle differences in language that make a big difference.



So how do you obtain a good marketing translation?

Allow sufficient time

Marketing and advertising texts challenge the translator to produce creative peak performance. It is therefore important to allow sufficient time. Additional time is then also needed for quality control. Just consider how much time you need to compose the text. If you allow the translator an equal amount of time, you will provide the support necessary for the creation of high-quality work.

Unfortunately though, it is often the case that the translator is expected to "quickly" produce the translation at the end of the process. However, the quality matters if the text is to be well received by the target market and be effective. It follows that early planning and notification of all parties involved is very important and helpful. This means that the necessary capacity can be planned in good time.

Choosing the right translator

A creative translator needs to have those skills that every good translator has, i.e. to render text from the source into the target language with due respect for grammar, style, terminology and subject knowledge,

as well as a particularly good feeling for language. S/he must have detailed knowledge of the target market and must be very good at writing – in the best case, s/he would be a copywriter in the respective mother tongue! This can lead to the creation of text that has the same effect as text that was written in the target language, rather than a translation. Of course it is crucial that the author's original message comes across.

In order to achieve best possible results, the translator needs as much information relating to the text as possible. This means you can give support by providing all necessary information on the text before the translation is due to begin, such as

- the target group the text is aimed at
- the core message of the text/campaign
- the special characteristics of the described product
- an indication as to how creative the translation is allowed to be, i.e. how far the translator may move away from the source text
- the intended media
- any corporate wording

Generally, it should be checked whether text produced for the German-speaking market is suitable for international distribution. Do the examples, references, images and writing style suit the target market?

Proofreading by customer

Depending on the degree of difficulty and the size of the document, it is recommended that the translated and checked marketing text be checked again by a reviewer or one of your proofreaders. This person does not necessarily have to be familiar with the source language because at this stage, the focus is on ascertaining how the text feels when it is read. Again, it is important that the author's original message comes across. This must not be changed.

Example from online marketing – SEO translations

Companies that are active internationally and therefore need a multilingual website

have the opportunity to position themselves on the internet in a form that is optimised for the market and target groups. This requires keywords for search engine optimisation (SEO) in the respective languages. In order to achieve the objective, which is to convey the information or promotional text to the right user, these keywords must not simply be translated. They must be adjusted to the target country and it is important that the search behaviour of the respective target group is taken into account.

We work with a pool of over 300 freelancers and have the right translator for any type of creative promotional text. Why not give us a try!



Daniela Badel
Translation management



Some of our customers:

- faigle GmbH
- Just International AG
- Rhomberg Bau GmbH
- Feyco AG
- Lactalis Suisse SA
- Hälg & Co AG
- and others

DOGREL AG
C O M M U N I C A T I O N