

Making available on the market of pressure equipment. Recast

2013/0221(COD) - 15/05/2014 - Final act

PURPOSE: to recast Directive 97/23/EC of the European Parliament and of the Council on the approximation of the laws of the Member States concerning pressure equipment.

LEGISLATIVE ACT: Directive 2014/68/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment.

CONTENT: Directive 97/23/EC is an example of Union harmonisation legislation, which ensures the free movement of pressure equipment. It sets out essential safety requirements that pressure equipment and assemblies must comply with in order to be made available on the EU market.

In order to remedy the shortcomings of the current legislation, this Directive aims to align Directive 97/23/EC: i) on the new legislative framework comprising of [Council Regulation \(EC\) No 765/2008](#) on accreditation and market surveillance and [Decision No 768/2008/EC](#) on a common framework for the marketing of products and ii) to [Regulation \(EC\) No 1272/2008](#) of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures.

The Directive shall apply to the **design, manufacture and conformity assessment of pressure equipment** (eg, boilers, pressure cookers, fire extinguishers, heat exchangers, steam generators, process heating) with a maximum allowable pressure PS greater than 0.5 bar.

This Directive covers pressure equipment and assemblies which are new to the Union market when they are placed on the market; that is to say they are either new pressure equipment or assemblies made by a manufacturer established in the Union or pressure equipment or assemblies, whether new or second-hand, imported from a third country.

The changes introduced by this Directive relate to the definitions, obligations of economic operators (including the EU declaration of conformity), the presumption of conformity, the conformity assessment procedures, Union safeguard procedure, the classification of pressure equipment, comitology and delegated acts.

Economic operators should be responsible for the compliance of pressure equipment and assemblies with the requirements of this Directive, in relation to their respective roles in the supply chain, so as to ensure a high level of protection of public interests, such as health and safety of persons, and the protection of domestic animals and of property, and to guarantee fair competition on the Union market.

Manufacturers should indicate, on the pressure equipment, their **name, registered trade name or registered trademark and the postal address** at which they can be contacted or, where that is not possible, on their packaging or in a document accompanying the equipment. The address should indicate a single point at which the manufacturer can be contacted. The contact details should be in a **language easily understood** by consumers, other users and market surveillance authorities. Every importer should indicate on the pressure equipment or assembly his name, registered trade name or registered trade mark and the postal address at which he can be contacted.

Non-compliance: Member States shall require the relevant economic operator to put an end to the non-compliance concerned. Where the non-compliance persists, the Member State concerned shall take all appropriate measures to restrict or prohibit the equipment or assembly being made available on the market or ensure that it is recalled or withdrawn from the market.

ENTRY INTO FORCE: 17.07.2014.

TRANSPOSITION: 28.02.2015 and 18.07.2014 depending on the provisions. The Directive shall apply from 01.06.2015 and from 19.07.2015 depending on the provisions.

DELEGATED ACTS: the Commission shall be empowered to adopt delegated acts in order to take into account emerging serious safety reasons. The power to adopt delegated acts shall be conferred on the Commission for a period of five years from **1 June 2015**. The European Parliament or the Council may raise objections to a delegated act within a period of two months from the date of notification (this may be extended by two months). If the European Parliament or Council express objections, the delegated act will not enter into force.