

Measuring instruments: trading transactions and use of legally controlled instruments

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PURPOSE : to present the measuring instruments directive. CONTENT : National legislation in respect of measuring instruments are in some cases incompatible with eachother and lead to barriers to trade. Consequently, the Internal Market for measuring instruments must be established by harmonisation of the national legislations. This commenced in 1971, but the existing Community legislation is deficient in many ways. The need for replacement is a direct result of its Old Approach nature and optional character. The specific directives are product directives, containing detailed technical specifications that are too restrictive in the current situation of rapidly changing measurement technologies. Continuous updating of the specifications has proved to be impractical. The conformity assessment procedures are generally too restrictive and none of today's modern procedures are offered to the manufacturer. In particular, there is no possibility for the use of an approved and supervised Quality System as an alternative to third party verification of the final products. The optional character of the directives has led to parallel national legislations. The proposed Measuring Instruments Directive will remedy many of the shortcomings described. It is a New Approach Directive aimed at creating an Internal Market for measuring instruments that are subject to legal metrological control, by: - establishing essential requirements and conformity assessment requirements while maintaining the high level of consumer protection existing already, and - establishing mutual recognition among the Member States of the results of the conformity assessment. The essential requirements will be performance requirements, rather than design specifications. The evolution of technology will therefore not require frequent future adaptation of the Directive . The conformity assessment procedures are the modern procedures taken from the Global Approach to testing and certification. They reinforce the role and responsibility of the manufacturer in conformity assessment and have assimilated quality assurance principles. No parallel national regimes of legal control of measuring instruments may exist after the entry into force of this Directive. The legal base is Article 95 of the EC Treaty. The specific directives for the measuring instruments covered are repealed.