

Directive 2014/29/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels (recast) (Text with EEA relevance)

CHAPTER 3

CONFORMITY OF VESSELS OF WHICH THE PRODUCT OF $PS \times V$ EXCEEDS 50 bar.L

Article 12

Presumption of conformity of vessels of which the product of $PS \times V$ exceeds 50 bar.L

Vessels of which the product of $PS \times V$ exceeds 50 bar.L and which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* shall be presumed to be in conformity with the essential safety requirements set out in Annex I covered by those standards or parts thereof.

Article 13

Conformity assessment procedures

1 Prior to their manufacture, vessels of which the product of $PS \times V$ exceeds 50 bar.L shall be subject to the EU-type examination (Module B) set out in point 1 of Annex II, as follows:

- a for vessels manufactured in accordance with the harmonised standards referred to in Article 12, at the choice of the manufacturer, in either of the following two manners:
 - (i) assessment of the adequacy of the technical design of the vessel through examination of the technical documentation and supporting evidence without examination of a specimen (Module B – design type);
 - (ii) assessment of the adequacy of the technical design of the vessel through examination of the technical documentation and supporting evidence, plus examination of a prototype, representative of the production envisaged, of the complete vessel (Module B – production type).
- b for vessels not manufactured, or manufactured only partly, in accordance with the harmonised standards referred to in Article 12, the manufacturer shall submit for examination a prototype, representative of the production envisaged, of the complete vessel and the technical documentation and supporting evidence for examination and assessment of the adequacy of the technical design of the vessel (Module B – production type).

2 Prior to their placing on the market, vessels shall be subject to the following procedures:

- a where the product of $PS \times V$ exceeds 3 000 bar.L, to conformity to type based on internal production control plus supervised vessel testing (Module C1) set out in point 2 of Annex II;

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- b where the product of $PS \times V$ does not exceed 3 000 bar.L but exceeds 200 bar.L, at the choice of the manufacturer, to either of the following:
 - (i) conformity to type based on internal production control plus supervised vessel testing (Module C1) set out in point 2 of Annex II;
 - (ii) conformity to type based on internal production control plus supervised vessel checks at random intervals (Module C2) set out in point 3 Annex II;
 - c where the product of $PS \times V$ does not exceed 200 bar.L but exceeds 50 bar.L, at the choice of the manufacturer, to either of the following:
 - (i) conformity to type based on internal production control plus supervised vessel testing (Module C1) set out in point 2 of Annex II;
 - (ii) conformity to type based on internal production control (Module C) set out in point 4 of Annex II.
- 3 The records and correspondence relating to the conformity assessment procedures referred to in paragraphs 1 and 2 shall be drawn up in an official language of the Member State in which the notified body is established or in a language accepted by that body.

Article 14

EU declaration of conformity

- 1 The EU declaration of conformity shall state that the fulfilment of the essential safety requirements set out in Annex I has been demonstrated.
- 2 The EU declaration of conformity shall have the model structure set out in Annex IV, shall contain the elements specified in the relevant modules set out in Annex II and shall be continuously updated. It shall be translated into the language or languages required by the Member State in which the vessel is placed or made available on the market.
- 3 Where a vessel is subject to more than one Union act requiring an EU declaration of conformity, a single EU declaration of conformity shall be drawn up in respect of all such Union acts. That declaration shall contain the identification of the Union acts concerned including their publication references.
- 4 By drawing up the EU declaration of conformity, the manufacturer shall assume responsibility for the compliance of the vessel with the requirements laid down in this Directive.

Article 15

General principles of the CE marking

The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.

Article 16

Rules and conditions for affixing the CE marking and inscriptions

- 1 The CE marking and the inscriptions referred to in point 1 of Annex III shall be affixed visibly, legibly and indelibly to the vessel or to its data plate.

2 The CE marking shall be affixed before the vessel is placed on the market.

3 The CE marking shall be followed by the identification number of the notified body involved in the production control phase.

The identification number of the notified body shall be affixed by the body itself or, under its instructions, by the manufacturer or his authorised representative.

4 The CE marking and the identification number of the notified body may be followed by any other mark indicating a special risk or use.

5 Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.