

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 2

### OBLIGATIONS OF ECONOMIC OPERATORS

#### *Article 9*

#### **Obligations of distributors**

1 When making a vessel available on the market distributors shall act with due care in relation to the requirements of this Directive.

2 Before making available on the market a vessel of which the product of  $PS \times V$  exceeds 50 bar.L, distributors shall verify that the vessel bears the CE marking and the inscriptions provided for in point 1 of Annex III, that it is accompanied by the required documents and by instructions and safety information referred to in point 2 of Annex III in a language which can be easily understood by end-users in the Member State in which the vessel is to be made available on the market, and that the manufacturer and the importer have complied with the requirements set out in Article 6(5) and (6) and Article 8(3) respectively.

Where a distributor considers or has reason to believe that a vessel of which the product of  $PS \times V$  exceeds 50 bar.L is not in conformity with the essential safety requirements set out in Annex I, he shall not make the vessel available on the market until it has been brought into conformity. Furthermore, where the vessel presents a risk, the distributor shall inform the manufacturer or the importer to that effect as well as the market surveillance authorities.

Before making available on the market a vessel of which the product of  $PS \times V$  is 50 bar.L or less, distributors shall verify that the vessel bears the inscriptions provided for in point 1.2 of Annex III and is accompanied by the instructions and safety information referred to in point 2 of Annex III in a language which can be easily understood by end-users in the Member State in which the vessel is to be made available on the market, and that the manufacturer and the importer have complied with the requirements set out in Article 6(5) and (6) and Article 8(3) respectively.

3 Distributors shall ensure that, while a vessel of which the product of  $PS \times V$  exceeds 50 bar.L is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential safety requirements set out in Annex I.

4 Distributors who consider or have reason to believe that a vessel which they have made available on the market is not in conformity with this Directive shall make sure that the corrective measures necessary to bring that vessel into conformity, to withdraw it or recall it, if appropriate, are taken. Furthermore, where the vessel presents a risk, distributors shall immediately inform the competent national authorities of the Member States in which they made the vessel available on the market to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

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5 Distributors shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of a vessel. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by vessels which they have made available on the market.