

Directive 2014/31/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 non-
automatic weighing instruments (recast) (Text with EEA relevance)

CHAPTER 2

OBLIGATIONS OF ECONOMIC OPERATORS

Article 8

Obligations of importers

- 1 Importers shall place only compliant instruments on the market.
- 2 Before placing on the market an instrument intended to be used for the applications listed in points (a) to (f) of Article 1(2), importers shall ensure that the appropriate conformity assessment procedure referred to in Article 13 has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation, that the instrument bears the CE marking and the supplementary metrology marking and is accompanied by the required documents, and that the manufacturer has complied with the requirements set out in Article 6(5) and (6).

Where an importer considers or has reason to believe that an instrument intended to be used for the applications listed in points (a) to (f) of Article 1(2) is not in conformity with the essential requirements set out in Annex I, he shall not place the instrument on the market until it has been brought into conformity. Furthermore, where the instrument presents a risk, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

Before placing on the market an instrument not intended to be used for the applications listed in points (a) to (f) of Article 1(2) importers shall ensure that the manufacturer has complied with the requirements set out in Article 6(5) and (6).

- 3 Importers shall indicate on the instrument their name, registered trade name or registered trade mark and the postal address at which they can be contacted. Where this would require the packaging to be opened, those indications may be given on the packaging and in a document accompanying the instrument. The contact details shall be in a language easily understood by end-users and market surveillance authorities.
- 4 Importers shall ensure that the instrument intended to be used for the applications listed in points (a) to (f) of Article 1(2) is accompanied by instructions and information in a language which can be easily understood by end-users, as determined by the Member State concerned.
- 5 Importers shall ensure that, while an instrument intended to be used for the applications listed in points (a) to (f) of Article 1(2) is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential requirements set out in Annex I.
- 6 When deemed appropriate with regard to the risks presented by an instrument intended to be used for the applications listed in points (a) to (f) of Article 1(2), importers shall carry out sample testing of instruments made available on the market, investigate, and, if necessary, keep

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

a register of complaints, of non-conforming instruments and instrument recalls, and shall keep distributors informed of any such monitoring.

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

8 For the instruments intended to be used for the applications listed in points (a) to (f) of Article 1(2), importers shall, for 10 years after the instrument has been placed on the market keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities and ensure that the technical documentation can be made available to those authorities, upon request.

9 Importers 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 an instrument in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by instruments which they have placed on the market.