

Directive 2014/35/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 electrical equipment designed for use within certain voltage limits (recast) (Text with EEA relevance)

## CHAPTER 4

### **UNION MARKET SURVEILLANCE, CONTROL OF ELECTRICAL EQUIPMENT ENTERING THE UNION MARKET AND UNION SAFEGUARD PROCEDURE**

#### *Article 22*

#### **Formal non-compliance**

1 Without prejudice to Article 19, where a Member State makes one of the following findings, it shall require the relevant economic operator to put an end to the non-compliance concerned:

- a the CE marking has been affixed in violation of Article 30 of Regulation (EC) No 765/2008 or of Article 17 of this Directive;
- b the CE marking has not been affixed;
- c the EU declaration of conformity has not been drawn up;
- d the EU declaration of conformity has not been drawn up correctly;
- e technical documentation is either not available or not complete;
- f the information referred to in Article 6(6) or Article 8(3) is absent, false or incomplete;
- g any other administrative requirement provided for in Article 6 or Article 8 is not fulfilled.

2 Where the non-compliance referred to in paragraph 1 persists, the Member State concerned shall take all appropriate measures to restrict or prohibit the electrical equipment being made available on the market or ensure that it is recalled or withdrawn from the market.