

Directive 97/23/CE**Keywords:**

Manufacturer

Placing on market

Responsibility

Directive reference:

Article 10 – 97/23/EC

Adopted by CLAP:

19/01/2000

Subject: New approach – Definition of manufacturer ("fabricant")**Question:** Who is the manufacturer ("fabricant") for the PED?**Answer:** All the new approach directives only states the manufacturer ("fabricant") who is defined in the New approach guide from the Commission as "those who is responsible for designing and manufacturing a product with a view of placing it on the Community market on his own behalf".

In comparison with the present industrial practices, the manufacturer ("fabricant") shall be in a position to actually ensure this responsibility and in particular shall know all information needed to make fundamental choices about design and manufacture of pressure equipment.

In the case where a user or his authorized representative imposes to his supplier some of these fundamental choices, the user or his authorized representative could ensure the corresponding responsibilities.

NOTE 1: the aim of this answer is to give technical information to parties concerned by the application of the Directive and not to prejudge of any legal implication for the concept of manufacturer.

NOTE 2: for the French version of harmonized standard, the word "fabricant" shall be used preferably to the word "constructeur" for the translation of "manufacturer".

Modifications compared to the previous adopted version: Editorial correction on 2004-09-16.