

**Guideline**

**9/18**

**CLAP**

**FORM N°247**

**Version : 2**

**Directive 97/23/EC**

**Keywords :**

National regulation

Notified body

Placing on the market

Standard

Code

Putting into service

**Directive references:**

Article 4 § 1 - 97/23 EC

**Adopted by WPG:** 03/11/2003

**Adopted by CLAP:** 03/11/2003

**Subject:** New approach – National regulations and inspections period

**Question:** Article 4.1 of PED provides for free placing on the market or putting into service of CE-marked pressure equipment. Under what circumstances can the application of national regulations (e.g. by public authorities or private authorised bodies) on periodic testing constitute a barrier to trade?

**Answer:** Differentiation between in-service inspection periods for similar CE-marked items of pressure equipment for the same purpose should be based on technical reasoning and the conditions of use of the equipment.

Specification of formal requirements for:

- The involvement of a specific notified body or bodies,
- The compliance with a specific (e.g. national) design code to the exclusion of other technically justifiable/equivalent solutions would constitute a barrier to trade.

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