

Guideline

9/21

CLAP

FORM N°249

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Directive 97/23/EC

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Operating instruction

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Article 4 § 2 - 97/23 EC

Annex I § 3.1 - 97/23 EC

Annex I § 3.3 - 97/23 EC

Annex I § 3.4 - 97/23 EC

Adopted by WPG: 03/1/2003

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Subject: ESR on manufacturing – Information required by a Member State

Question:

Article 4 of the Pressure Equipment Directive allows Member States to require the information for pressure equipment described in Annex 1 sections 3.3 and 3.4 to be provided in the language of the country in which the equipment or assembly reaches the final user. If so required, does this impose the task of translating on the manufacturer?

Answer:

The PED allows Member States to require translation and consequently to take restrictive measures if this requirement is not fulfilled. Manufacturers, distributors and importers should be aware of this requirement.

If the national legislation requires the translation, it has to be fulfilled. When the equipment is not placed on the market in the Member State of the final user, the person introducing the equipment in the linguistic area (e.g. the importer, the distributor, the manufacturer of an assembly including such equipment) must ensure the requirement is fulfilled.

For pressure equipment specifically manufactured for a defined end user, which is subject to contract between the supplier and user, they can also contractually agree who shall do the translation(s) taking into account the national law.

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