

Guideline

2/18

CLAP

FORM N°46

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Directive 97/23/EC

Keywords : Sound engineering practice

Conformity assessment

CE marking

Directive references: Article 3 § 3 - 97/23 EC

Article 10 § 1.4 - 97/23 EC

Article 9 § 1 - 97/23 EC

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Subject: Conformity assessment – Pressure equipment covered by article 3 § 3

Question: Article 10 section 1.4 states that a manufacturer may choose to apply one of the conformity assessment procedures which apply to a higher (conformity assessment) category if available. Does this mean that a manufacturer of pressure equipment covered by Article 3, section 3, referred to as Sound Engineering Practice (SEP), can choose to apply Module A for example and hence apply a CE Marking?

Answer: No.

Article 9, section 1 deals with the classification of pressure equipment referred to in Article 3, section 1 (not section 3) and Article 10 sets out how the conformity assessment procedures should be determined for such equipment. Therefore Article 10, section 1.4 does not apply to SEP pressure equipment and it does not provide any derogation to the provision in Article 3, section 3 that specifically prohibits CE Marking of SEP pressure equipment.

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