

**Guideline**

**Ar.15/16-01**

**CLAP**

**FORM N°Z016**

**Version : 1**

**Directive 87/404/EEC**

**Directive references:**

Article 15

Article 16

**Adopted by WPG:** **Novembre 1994**

**Adopted by CLAP:** **Novembre 1994**

**Subject:** Identification (before/after hydrostatic/pneumatic test)

**Question:** Is it permitted to affix the proof of conformity with Directive 87/404/EEC prior to the hydrostatic or pneumatic test on the vessel?

**Answer:** The moment at which the proof of conformity is affixed is left to the manufacturer under his own responsibility (Articles 12-14) provided that he is entitled to affix a CE marking to the manufactured product on the basis of his design approval either by a certificate of adequacy under Article 8 or a type-examination certificate under Article 10. It must be ensured that nonconforming products are not placed on the market.

**Reasons**

The moment at which the proof of conformity is affixed during the vessel manufacturing process does not release the manufacturer from his responsibility not to place on the market a vessel which fails to satisfy the Directive's requirements (as proved, for example, by the hydrostatic test). Concerning the moment of affixing the CE marking the Directive specifies nothing. Risks are ruled out by virtue of the procedure itself. There is a Council Decision on conformity assessment and CE marking (93/465/EEC of 22 July 1993, O.J. L 220, 30.08.93, p. 23). In this Council Decision there is a difference between the English and French versions relating to the moment of affixing the CE marking. This difference has been brought to the attention of the Commission services for review and amendment as necessary.

The above guidance conforms to the French language version which permits the affixing of the CE marking during the production control phase. The English version is more restrictive; it requires the affixing of the CE marking at the end of the production control phase.