

## **Position Paper of CEIR regarding the application of directive 97/23/EC and directive 99/36/EC**

The European Committee for the Valve Industry states its position concerning the application of directive 97/23/EC on pressure equipment and directive 99/36/EC on transportable pressure equipment.

Directive 97/23/EC provides, together with the directives related to simple pressure vessels (87/404/EC), transportable pressure equipment (99/36/EC) and aerosol dispensers (75/324/EEC), for an adequate legislative framework on European level for equipment subject to a pressure hazard. Directive 97/23/EC concerns manufacturers of items such as vessels pressurised storage containers, heat exchangers, steam generators, boilers, industrial piping, safety devices and pressure accessories with a maximum allowable pressure PS greater than 0,5 bar. Directive 99/36/EC shall apply, for the purpose of placing on the market, to new transportable pressure equipment (all receptacles and tanks) used for transport of Class 2 gases in accordance with Annexes to directives 94/55/EC and 96/49/EC.

Directive 99/36/EC at article 3 point 2 stands new valves and other accessories used for transport shall meet the relevant provisions of the Annexes to directives 94/55/EC and 96/49/EC. Article 3 point 3 of the same directive stands valves and other accessories having a direct safety function in transportable pressure equipment, in particular safety valves, valves for filling and emptying and cylinders valves, shall be subject to a conformity assessment procedure at least as stringent as that undergone by the receptacle or tank to which they are fitted. In the end, article 3 point 4 stands that should directive 99/55/EC and 96/49/EC not contain any detailed technical provisions for the valves and accessories referred to in paragraph 3, such valves and accessories must meet the requirements of directive 97/23/EC and, pursuant to that directive, be subject to a category II, III or IV conformity assessment procedure as laid down in article 10 of directive 97/23/EC according to whether the receptacle or tank belongs to category 1, 2 or 3 as laid down in Annex V of directive 99/36/EC.

Consequently, valves and other accessories having a direct safety function in transportable pressure equipment, in absence of detailed technical provisions in directives 94/55/EC and 96/49/EC, must meet the requirements of directive 97/23/EC and must be put on the market with CE marking according to directive 97/23/EC. In accordance with article 3 point 4 of directive 99/36/EC, specific II mark is not required for these products, on the condition that these products are subject to a category II, III or IV conformity assessment procedure of directive 97/23/EC, according to category where receptacle or tank belongs as indicated in Annex V of directive 99/36/EC.

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