



Notification Number: 2001/345/F

Draft Order laying down the compulsory implementation of standards

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Message

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Message 002



Communication from the Commission - SG(2001) D/51789

Directive 98/34/EC

Translation of the message 001

Notification: 2001/345/F

(MSG: 200101789.EN)

1. Structured Information Line

MSG 002 IND 2001 0345 F EN 07-08-2001 F NOTIF

2. Member State

FRANCE

3. Department Responsible

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Coopération Economique Européenne - 2, Bd Diderot - 75012 PARIS
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3. Originating Department

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4. Notification Number

2001/345/F - IOO

5. Title

Draft Order laying down the compulsory implementation of standards

6. Products Concerned

Portable fire extinguishers

7. Notification Under Another Act

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8. Main Content

The Order of 24 October 1984, amended previously by the Orders of 21 April 1997 and of 28 November 1999, lays down the compulsory implementation of standards, compliance with which enables the fitness for use and performance of portable fire extinguishers to be guaranteed.

Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment, whose provisions apply to portable fire extinguishers, seeks to ensure safe use of these appliances but not their fitness for use and performance.



The present draft Order laying down the compulsory implementation of standards supplementing the Directive thus seeks to ensure that portable fire extinguishers, which meet essential safety requirements laid down by the above-mentioned Directive, also provide the reliability and efficiency that their users may rightly expect when having to control a fire.

9. Brief Statement of Grounds

Having taken into account the entry into force of above-mentioned Directive 97/23/EC, it is necessary to amend the previous Order of 21 April 1997 for the reason that:

A) one of the standards whose application is made compulsory by the present Order, pursuant to point 1 of Article 1 thereof, (NF EN 3-5 of June 1996) contains a paragraph (4(6)) whose specifications enable a requirement laid down by the Directive to be met. There are, therefore, grounds to remedy this superfluity;

B) during the transitory period laid down in Article 20 of Directive 97/23/EC, the equipment listed in point 2 of Article 1 must:

- conform to the standards guaranteeing fitness for use and performance of appliances, made compulsory in France pursuant to point 1 of the same Article;
- and also, with regard to risk prevention related to pressure; either meet the essential safety requirements laid down by the above-mentioned Directive; or conform to the ad hoc standards made compulsory by French regulations pursuant to the same point 2.

10. Reference Documents - Basic Texts

A:

basic texts already forwarded: amended Order of 24 October 1984 and Order of 21 April 1997 laying down the compulsory implementation of standards.

B: basic text which corresponds to a previous notification: 1998/410/F

C: first submission of the basic text: 15/09/1998

references of the basic text : Order of 24 October 1984 laying down the compulsory implementation of standards.

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

As compliance with essential safety requirements laid down by the Directive, confirmed by affixing the CE marking, only guards against pressure-related risks (safe use), it is necessary to maintain and update the national regulatory provisions which provide purchasers with appliances that are fit for use and efficient (whether or not they are trained to use them), in other words, effective in terms of ability to extinguish fires (safety of individuals, animals and property); in particular where their purchase is compulsory (teaching establishments, hospitals, buildings open to the public, tall buildings etc).

13. Confidentiality

No



14. Fiscal measures

No

David O'Sullivan
General Secretary
European Commission