



Notification Number: 1992/319/F

DECREE IMPLEMENTING LAW NO. 83 660 OF 21 JULY 1983 CONCERNING CONSUMER SAFETY WITH REGARD TO INSERTS AND SOLID HEARTHES OF FIREPLACES WHICH BURN SOLID FUELS

Date received : 27/11/1992

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Issue of comments by : Commission

Message

REP PERMANENTE IRLANDE

REP PERMANENTE GRECE

AGENCE RECHERCHE SCIENTIFIQUE TECHN.
ATT. MME. MOUSTAKA-ZERVAKOU

HELLINIKOS ORG. TYPOPISEOS
ATT. MR. MELAGRAKIS

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,
ATT. MR. E. ALLEN

INST INDUST RESEARCH.
ATT. MR. J. NULTY

ICC: PLEASE FORWARD THIS MESSAGE TO ICC MAILBOX EFTBT

TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (92) D/52049/2
DIRECTIVES 83/189/EEC AND 88/182/EEC
TRANSLATION OF TELEX 001
NOTIFICATION 92/0319/F

- 3B2 : 9202037.EN

1. Structured Information Line

TLX 002 IND- 92 0319 F-- EN ----- 921127 --- ---

2. Member State



FRANCE

3. Department Responsible

COMMISSARIAT A LA NORMALISATION
22, RUE MONGE 75005 PARIS
SGCI
CARRE AUSTERLITZ
2, RUE BOULEVARD DIDEROT
75012 PARIS

3. Originating Department

DIRECTION GENERALE DE LA CONCURRENCE, DE LA CONSOMMATION ET
DE LA REPRESSION DES FRAUDES
3-5, BOULEVARD DIDEROT
750012 PARIS

4. Notification Number

92/0319/F

5. Title

DECREE IMPLEMENTING LAW NO. 83 660 OF 21 JULY 1983 CONCERNING
CONSUMER SAFETY WITH REGARD TO INSERTS AND SOLID HEARTHES OF
FIREPLACES WHICH BURN SOLID FUELS

6. Products Concerned

CONTINUOUS OR INTERMITTENT HEATING DEVICES AND APPROVED
DEVICES WHICH BURN EITHER SOLELY WOOD OR WOOD AND SOLID
MINERAL FUELS, WHICH ARE INTENDED TO BE INSTALLED IN A
FIREPLACE.

7. Notification Under Another Act

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8. Main Content

THIS DRAFT DECREE RENDERS THE MANUFACTURING AND ISSUING ON
THE MARKET OF THE DEVICES SUBJECT TO COMPLIANCE WITH THE
ESSENTIAL REQUIREMENTS INTENDED TO PREVENT FIRE HAZARDS WHEN
THE DEVICES ARE CORRECTLY INSTALLED. DETAILS OF THESE
REQUIREMENTS ARE GIVEN IN ANNEX I, THEY CONCERN THE
CONSTRUCTION AND OPERATING CHARACTERISTICS OF THE DEVICES.
COMPLIANCE WITH THESE REQUIREMENTS SHALL BE CERTIFIED BY
MEANS OF A MARKING OR BY AFFIXING A DATA PLATE ON THE DEVICE.
THE TEXT ALSO REQUIRES THAT A NOTICE BE DISPLAYED ON THE
DEVICE, WHICH DRAWS ATTENTION TO THE NEED FOR THE DEVICE TO
BE INSTALLED IN ACCORDANCE WITH THE APPROPRIATE RULES (THE
TEXT OF THE NOTICE IS GIVEN IN ANNEX II) AND FOR A MANDATORY
NOTICE TO APPEAR ON THE DEVICE, CONTAINING ALL THE
INFORMATION NECESSARY TO ENSURE CORRECT INSTALLATION AND
APPROPRIATE MAINTENANCE AND USE OF THE DEVICE.
ARTICLE 3 SPECIFIES THE DOCUMENTARY PROOF OF COMPLIANCE OF
THE DEVICES WITH SAFETY REQUIREMENTS, WHICH THOSE RESPONSIBLE
FOR ISSUING THE DEVICES ON THE MARKET MUST POSSESS.



THE DOCUMENT OR FORM REFERRED TO IN POINT 5 AND DETAILS OF WHICH ARE GIVEN IN ANNEX III ENSURES THAT WHERE INSTALLATION IS NOT CARRIED OUT BY THE VENDOR OR SUBJECT TO HIS RESPONSIBILITY, THE PURCHASER HAS BEEN INFORMED OF THE NEED TO COMPLY WITH THE CORRECT RULES OF INSTALLATION. IT ALSO PROVIDES CONSUMERS WHO HAVE THE DEVICE INSTALLED BY A THIRD PARTY WITH A GUARANTEE OF COMPLIANCE OF THE INSTALLATION (PART C OF THE FORM).

9. Brief Statement of Grounds

NUMEROUS ACCIDENTS HAVE OCCURRED IN RECENT YEARS INVOLVING THE USE OF INSERTS OR HEARTHES WHICH BURN WOOD. THESE FIRES AROSE MAINLY AS THE RESULT OF INCORRECT INSTALLATION (CONSTRUCTION OF FIREPLACES AND NEW FLUES WHICH DID NOT COMPLY WITH THE REQUIRED FIRE DISTANCES, USING UNSUITABLE MATERIALS, INSTALLATION IN EXISTING FIREPLACES WHICH WERE INCOMPATIBLE WITH THE INSERTS), AND WERE MADE WORSE BY THE USE OF DEVICES WHICH WERE BADLY DESIGNED (EJECTION OF EMBERS, TEMPERATURES OF COMBUSTION FUMES AND GASES WHICH WERE TOO HIGH, ETC.) AND/OR LACKING ADEQUATE INFORMATION REGARDING INSTRUCTIONS FOR INSTALLATION, USE AND MAINTENANCE.

10. Reference Documents - Basic Texts

LAW NO. 83 660 OF 21 JULY 1983 REGARDING CONSUMER SAFETY.

11. Invocation of the Emergency Procedure

YES

12. Grounds for the Emergency

AN ORDER OF 14 NOVEMBER 1991, IMPLEMENTING ARTICLE 3 OF THE LAW OF 21 JULY 1991 A IMPOSES THE FOLLOWING REQUIREMENTS FOR THE REASONS EVOKED IN POINT 9:

- THE AFFIXATION OF A NOTICE (SIMILAR TO THAT DESCRIBED IN ANNEX II TO THE DRAFT DECREE) ON INSERTS AND SOLID HEARTHES WHICH BURN WOOD.
- THE SIGNATURE BY THE PURCHASER, IN CASES WHERE THE DEVICE IS SOLD WITHOUT INSTALLATION, OF A DOCUMENT CERTIFYING THAT HE/SHE WAS AWARE OF THE NOTICE.

THE PROVISIONS OF THIS ORDER, VALID FOR ONE YEAR, HAVE NOT PROVED DIFFICULT TO IMPLEMENT FOR MANUFACTURERS IN FRANCE AND ELSEWHERE AND HAVE NOT CREATED OBSTACLES TO TRADE. THEY WILL EXPIRE BEFORE THE END OF THE YEAR AND IT IS NECESSARY TO PROLONG THEM QUICKLY BY MEANS OF THE PRESENT TEXT.

D. WILLIAMSON
COMEUR
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