

Directive 2014/29/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels (recast) (Text with EEA relevance)

CHAPTER 2

OBLIGATIONS OF ECONOMIC OPERATORS

Article 8

Obligations of importers

1 Importers shall place only compliant vessels on the market.

2 Before placing on the market a vessel of which the product of $PS \times V$ exceeds 50 bar.L, importers shall ensure that the appropriate conformity assessment procedure referred to in Article 13 has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation, that the vessel bears the CE marking and the inscriptions provided for in point 1 of Annex III and is accompanied by the required documents, and that the manufacturer has complied with the requirements set out in Article 6(5) and (6).

Where an importer considers or has reason to believe that a vessel of which the product of $PS \times V$ exceeds 50 bar.L is not in conformity with the essential safety requirements set out in Annex I, he shall not place the vessel on the market until it has been brought into conformity. Furthermore, where the vessel presents a risk, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

Before placing on the market a vessel of which the product of $PS \times V$ is 50 bar.L or less, importers shall ensure that it has been designed and manufactured in accordance with the sound engineering practice in one of the Member States, bears the inscriptions provided for in point 1.2 of Annex III and that the manufacturer has complied with the requirements set out in Article 6(5) and (6).

3 Importers shall indicate on the vessel their name, registered trade name or registered trade mark and the postal address at which they can be contacted or, where that is not possible, in a document accompanying the vessel. The contact details shall be in a language easily understood by end-users and market surveillance authorities.

4 Importers shall ensure that the vessel is accompanied by the instructions and safety information referred to in point 2 of Annex III, in a language which can be easily understood by end-users, as determined by the Member State concerned.

5 Importers shall ensure that, while a vessel in respect of which the product of $PS \times V$ exceeds 50 bar.L is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential safety requirements set out in Annex I.

6 When deemed appropriate with regard to the risks presented by a vessel, importers shall, to protect the health and safety of end-users, carry out sample testing of vessels made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming vessels and vessel recalls, and shall keep distributors informed of any such monitoring.

7 Importers who consider or have reason to believe that a vessel which they have placed on the market is not in conformity with this Directive shall immediately take the corrective measures necessary to bring that vessel into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the vessel presents a risk, importers shall immediately inform the competent national authorities of the Member States in which they made the vessel available on the market to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

8 For vessels of which the product of $PS \times V$ exceeds 50 bar.L, importers shall, for 10 years after the vessel has been placed on the market, keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities and ensure that the technical documentation can be made available to those authorities, upon request.

9 Importers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of a vessel in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by vessels which they have placed on the market.