

Brussels, 9 December 2011

Proposal for a Revision of the Marine Equipment Directive (MED) 96/98/EC lastly amended by Directive 2009/26/EC

Orgalime, the European Engineering Industries Association, speaks for 34 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 22 European countries. Our industries' activities are mainly in chapters 25 to 28 of the NACE rev. 2 nomenclature including the repair and installation services provided by our industries (chapter 33). The industry employs some 9.7 million people in the EU and in 2010 accounted for some 1,510 billion of annual output. The industry not only represents some 28% of the output of manufactured products but also a third of the manufactured exports of the European Union.

Orgalime has been active for a number of years in the follow up of the implementation of the ATEX Directive 94/9/EC and wishes to comment on the issue of where there is an overlap between the Marine Equipment Directive which defines the requirements for Equipment to be used on board of a vessel registered within the European Community in view of the discussions scheduled on this in the forthcoming meeting of the ATEX Standing Committee

1. INTRODUCTION

Annex A.1 of the ATEX Directive lists standards to which products have to be tested.

For Gas Detection Equipment, to be operated in potentially hazardous locations, or which has a measuring function in respect of explosion protection, appropriate standards are listed with a distinctive reference to their year of issue (see annex 1). This is unusual for a Directive following the "New Approach". Furthermore, the Directive lists a mix of EN and IEC standards, although all referenced IEC standards have also been published as an EN standard.

The constructional requirements for explosion protected equipment at sea are generally the same as onshore. This is illustrated by the reference to the same or very similar standards as harmonized under the ATEX Directive.

Many products are used offshore and onshore, thus requiring certification per the ATEX Directive and by the MED. It is incomprehensible and economically not sensible to apply different standards for equipment with the same safety objective.

Orgalime, the European Engineering Industries Association, speaks for 34 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 22 European countries. The industry employs some 9.7 million people in the EU and in 2010 accounted for some €1,510 billion of annual output. The industry not only represents some 28% of the output of manufactured products but also a third of the manufactured exports of the European Union.

In view of the overlaps, Orgalime would therefore like to make the following proposals with a view to ensuring a simplification in the application of this Community legislation and thereby a reduction of the administrative burden imposed on companies.

2. MODIFICATION PROPOSAL

We would recommend that as regards explosion protection, the MED should be modified such, that the Directive does not reference particular standards directly, but

- a) for the "safe area" it should reference to the ATEX Directive to apply those standards, harmonized under the ATEX Directive, which are relevant for products with a measuring function for explosion protection,
and
- b) for "explosive atmospheres" it should generally reference to the ATEX directive to apply those standards, harmonized under the ATEX Directive.

These modifications would automatically ensure that neither different standards nor different generations of standards would be applied for EC-Type Examination Certificates according to the ATEX Directive or the MED. The ATEX directive would always be the leading directive with regards to all aspects of explosion protection.



The European Engineering Industries Association

ORGALIME aisbl | Diamant Building | Boulevard A Reyers 80 | B1030 | Brussels | Belgium
Tel: +32 2 706 82 35 | Fax: +32 2 706 82 50 | e-mail: secretariat@orgalime.org
Ass. Intern. A.R. 12.7.74 | VAT BE 414341438

Annex 1

No	Item designation	Regulation SOLAS 74 where "type approval" is required	Regulations of SOLAS 74 and the relevant resolutions and circulars of the IMO, as applicable	Testing standards	Modules for conformity assessment
1	2	3	4	5	6
A.1/3.30	Portable oxygen analysis and gas detection equipment	<ul style="list-style-type: none"> — Reg. II-2/4, — Reg. VI/3. 	<ul style="list-style-type: none"> — Reg. II-2/4, — Reg. VI/3, — IMO Res. MSC.98(73)-(FSS code) 15. 	<ul style="list-style-type: none"> — EN 60945 (2002), — IEC 60092-504 (2001), — IEC 60533 (1999), <p>and as applicable to:</p> <p>(a) Category 1: (safe area):</p> <ul style="list-style-type: none"> — EN 50104 (2002) including A.1 (2004) Oxygen, — EN 60079-29-1 (2007). <p>(b) Category 2: (explosive gas atmospheres):</p> <ul style="list-style-type: none"> — EN 50104 (2002) including A.1 (2004) Oxygen, — EN 60079-29-1 (2007), — IEC 60079-0 (2004), — IEC 60079-1 (2007), — IEC 60079-10 (2002), — IEC 60079-11 (2006), — IEC 60079-15 (2005), — IEC 60079-26 (2006). 	<ul style="list-style-type: none"> B + D B + E B + F
A.1/3.54	Fixed oxygen analysis and gas detection equipment	<ul style="list-style-type: none"> — Reg. II-2/4, — Reg. VI/3. 	<ul style="list-style-type: none"> — Reg. II-2/4, — Reg. VI/3, — IMO Res. MSC.98(73)-(FSS code) 15. 	<ul style="list-style-type: none"> — EN 60945 (2002), — IEC 60092-504 (2001), — IEC 60533 (1999), <p>and as applicable to:</p> <p>(a) Category 4: (safe area)</p> <ul style="list-style-type: none"> — EN 50104 (2002) including A.1 2004 Oxygen, <p>(b) Category 3: (explosive gas atmospheres)</p> <ul style="list-style-type: none"> — EN 50104 (2002) including A.1 2004 Oxygen, — EN 60079-29-1 (2007). 	<ul style="list-style-type: none"> B + D B + E B + F