

Brussels, 10 June 2010

Revision of the Gas Appliances Directive (GAD) 2009/142/EC – Draft ORGALIME comments on “Draft text future GAD” - Reference Document: WG GAD Rev 19.04.2010”

Introduction

Orgalime represents the interests as a whole of the suppliers of equipment and technology falling under the GAD.

With the revision and the proposed extension of the scope, a far wider range of this equipment will no doubt be subject to the GAD.

Orgalime therefore welcomes the opportunity to participate in this revision of the GAD and would like to comment on the “Draft text future GAD” - Reference Document: WG GAD Rev 19.04.2010”

CHAPTER 1 “Scope, definitions, placing on the market and free movement

Art. 1, 2nd paragraph “Appliances”:

We would suggest adding the following at the end of the first sentence: *“including combustion air supply and combustion product evacuation ducts certified as an assembly with the appliance”*. This was a former proposal by Marcogaz; we fully endorse this proposal and hope that through its adoption it will be possible to solve once for all the pending situation which has led to much irritation.

Furthermore in our opinion the meaning of the second sentence is unclear and a better definition should be advisable.

CHAPTER 2 “Means of certification of conformity”

Art. 8, item 5

In order to avoid the still existing conflicting situation, we propose to state clearly that products and equipment covered by this directive are to be considered excluded from Directive 89/106/CE on construction products.

Orgalime, the European Engineering Industries Association, speaks for 33 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 22 European countries. The industry employs some 11.1 million people in the EU and in 2008 accounted for some €1,885 billion of annual output. The industry not only represents more than one quarter of the output of manufactured products but also a third of the manufactured exports of the European Union.

ANNEX I – “Essential requirements – Preliminary remark”

1. General conditions

Par. 1.2.3

In our opinion care should be taken in order to avoid the installation of the appliance in a country different to the one foreseen by the manufacturer. For this reason the packaging should bear clearly the country of destination for the proper advice to the installer.

This would not in our view conflict with the free circulation of goods but is to be intended as a safety measure against an undue installation of the appliance.

We would also like to point out that the “country of destination” is a requirement foreseen at point. 12.1.2 “Supplementary marking”, 1st indent of the prEN 15502-1 “Gas-fired central heating boilers –Part 1: General requirements and tests. In our opinion there is therefore a conflicting requirement that needs to be solved.

Par. 3.1.7

Any reference to the Machinery directive (2006/42/EC) should in our view be avoided. Furthermore a clear reference to EN 60335-2-102 standard should be done as far as the electrical requirements are concerned.

Par. 3.1.11

As far as the meaning of the word “protected” is concerned, does it mean that, for example a lacquered seal is considered adequate so the requirement is considered covered? In our opinion this point should be clearly stated in order to avoid different interpretations between Notified Bodies and between Notified Bodies and the manufacturers.

ANNEX II – “Procedure for certification of conformity”

We would suggest the creation of an Annex in which the language and the minimum useful information requested by the Declaration of conformity should be clearly stated. An example should be advisable thus avoiding the adoption of a non standardized version by each national organization.

CONCLUSIONS

We would like to suggest the adoption of a positive list of appliances falling within the GAD. This does not necessarily mean that an appliance not in the list is definitely out. The list should be a picture of the existing situation, leaving the door open to the technical development of the gas sector.

The list is exhaustive, clear and easier to be understood if compared to the definition that has to be interpreted anyway.