

# ESSENTIAL REQUIREMENTS, CONFORMITY ASSESSMENT AND MARKS OUR SAFETY

## СЪЩЕСТВЕНИТЕ ИЗИСКВАНИЯ, ОЦЕНЯВАНЕ НА СЪОТВЕТСТВИЕТО, МАРКИРОВКИТЕ И НАШАТА БЕЗОПАСНОСТ

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**Abstract:** *The lack of adequate consumer culture hinders communication between businesses and consumers, which has negative consequences for both sides. Nowadays most people have fairly good overall consumer culture, and it continues to evolve spontaneously along with the development of the market.*

**KEYWORDS:** CONFORMITY ASSESSMENT, SAFETY, ESSENTIAL REQUIREMENTS

### 1. Introduction

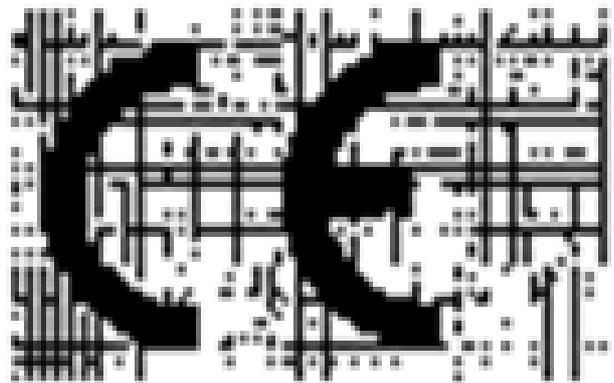
This work aims to familiarize you with the essential information for the electrical appliances and equipment, and in particular: conformity assessment of their quality with the requirements of the one for your own safety. Often users do not care what you buy, but how much it costs. The authorized inspection authorities carry out supervision of rogue traders and manufacturers, but in order to protect the rights of the end user, you should know the basic rules of the essential requirements, marking and conformity assessment. Knowing these rules, you will be able to make the right decision about whether the electric appliance is safe for you, your family or loved ones. Buying appliances (electrical apparatus) without the required marking and accompanying documents, you will not have any guarantee of their safety and relevant liability of the merchant or manufacturer for possible damage.

### 2. Assessment and attestation of conformity

Before placing on the market a device/product/, the manufacturer must apply the relevant procedures for assessment of conformity with the essential requirements. Based on a choice of the manufacturer, the compliance of the devices with the essential requirements can be assessed through the use of the procedures laid down in the Ordinance on essential requirements and assessment of conformity of electrical equipment designed for use within certain voltage limits and in the Ordinance /directives in our country has been adopted through ordinances/ on the essential requirements and assessment of conformity for electromagnetic compatibility, when the devices are included into their range, instead of the procedures provided in the ordinance. After evaluating the conformity of the devices on the procedures applicable to them, the manufacturer, his authorized representative or the person responsible for placing them on the market, applies the marking of conformity. The marking of conformity is applied on the device or on his data plate, as well as on its packaging, if any, or on the accompanying documents.

### 3. Order and way for application of CE marking

The CE marking of conformity certifies that the products placed on the market conform to the requirements applicable to them, and that they have been subjected to the conformity assessment procedures. When a product falls under the provisions of a number of regulations, each of which provides for the applying of the CE conformity marking, the marking certifies the conformity of the product with the requirements of each of the Ordinances under art. 7 ZTIP/Law on the technical requirements for the products/. The manufacturers, or other individuals, where this is provided for in the regulations, are required to apply the CE marking of conformity before the products to be placed on the market and/or put into service. The CE marking consists of the initials "CE" – has the following graphical form:



The CE marking must be affixed visibly, legibly and indelibly to the product or to its data plate. However, where this is not possible or not warranted on account of the nature of the product, it must be affixed to the packaging, if any, and/or to the accompanying documents. The CE marking may not, in principle, be affixed until the conformity assessment procedure has been completed to ensure that the product complies with all the provisions of the relevant Union harmonisation acts. This will usually be at the end of the production phase. This poses no problem if, for example, the CE marking is on a data plate that is not affixed to the product until after the final inspection. However, if (for example) the CE marking is affixed by stamping or casting, the marking can be affixed at any other stage of the production phase, provided that the conformity of the product is verified as part of the production process.

The requirement for visibility means that the CE marking must be easily accessible for all parties. It could, for instance, be affixed on the back or underside of a product. A minimum height of 5 mm is required to ensure that it is legible. However according to the several pieces of legislation<sup>194</sup> the minimum dimension of the CE marking may be waived for small devices or components.

The CE marking can take different forms (e.g. colour, solid/hollow) as long as it remains visible, legible and respects its proportions. It must also be indelible so that it cannot be removed under normal circumstances without leaving noticeable traces (for example some product standards provide for a rub test with water and petroleum spirits). Nevertheless, this does not mean that the CE marking must form an integral part of the product.

However in certain cases affixing of the CE marking to the product is impossible (for example on certain types of explosives) or not possible under reasonable technical or economic conditions. Furthermore there can be cases where the minimum dimensions

for the affixing cannot be respected, or it cannot be ensured that the CE marking is visibly, legibly and indelibly affixed.

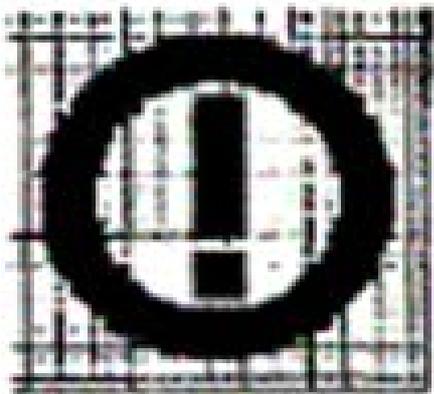
In such cases, the CE marking can be affixed to the packaging, if it exists, and / or to the accompanying document, where the Union harmonisation legislation concerned provides for such documents. The CE marking on the product may neither be omitted nor be moved to the packaging or accompanying documents on purely aesthetic grounds.

Regulation (EC) 765/2008 and Decision 768/2008/EC lay down that the CE marking must have the dimensions, format and proportions defined in Annex II of Regulation (EC) No 765/2008 and be legible and clearly affixed. Regulation (EC) 765/2008 and Decision No 768/2008/EC do not forbid any kind of design (e.g. "hollow" design) as long as the above conditions are respected.

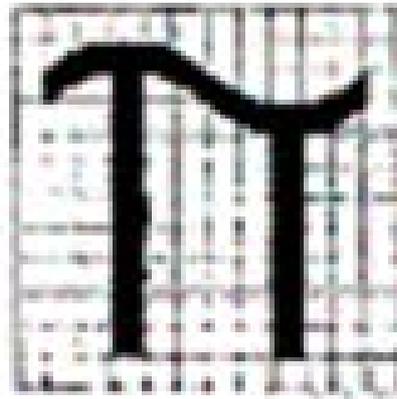
Electronic labelling however is not allowed.

The specific marking warns the user about the possibility that the putting into operation of the device can be subject to restrictions. The manufacturer or his authorized representative or the person who places on the market radio equipment, for which restrictions have been introduced for the putting into action, specific marking is applied before the radio equipment to be placed on the market. In addition to the information about the purpose and way of their use it provides the user with information on the nature of the restriction, which is necessary when putting them into action. Identification marking of specific devices for which there are restrictions on putting them into action, consists of an exclamation point placed in the center of a circle [1].

The specific marking is applied on the radio equipment or on its data plate, if any, and the accompanying documentation. In case that the dimensions of the radio device do not allow mapping of specific marking on it, it is applied on the packaging or on accompanying documentation[2].



From the date of entry into force of the Treaty of accession of Republic Bulgaria to the European Union, the CE marking of conformity of transportable pressure equipment, valves or other accessories, directly related to their safety, consists of the initials "π" and has a graphic image, as follows:



The CE conformity marking has a height of at least 5 mm if the relevant Ordinance does not specify otherwise.

A notified body may be involved in the production phase, depending on the conformity assessment procedures applied. The CE marking must be followed by the identification number of the notified body only if it is involved in the production phase. Thus, the identification number of a notified body involved in conformity assessment in the design phase according to module B does not follow the CE marking. Sometimes several notified bodies are involved in the production phase, which is possible where more than one Union harmonisation text is applicable. In these situations several identification numbers follow the CE marking.

Thus, if the CE marking appears on products without an identification number, this means that:

- either no notified body intervened in the design or production phase (module A);
- or upon manufacturer's choice the in-house accredited body intervened in the production phase (modules A1, A2);
- or a notified body intervened in the design phase (module B) but no notified body intervened in the production phase (module C following module B);
- or a notified body intervened in the design phase (module B) and upon manufacturer's choice the in-house accredited body intervened in the production phase (modules C1, C2 following module B).
- If however the CE marking appears on products with an identification number 195, this means that:
  - either upon manufacturer's choice a notified body intervened in the production phase (modules A1, A2);
  - or a notified body intervened in the design phase (module B) and upon manufacturer's choice a notified body (not necessarily the same one but the one whose identification number appears) intervened in the production phase (modules C1, C2 following module B);
  - or a notified body intervened in the design phase (module B) and a notified body (not necessarily the same one but the one whose identification number appears) intervened in the production phase (modules C1, C2, D, E, F following module B);
  - or a notified body intervened in the design and production phase (modules D1, E1, F1, G1 H, H1).

The CE marking and the identification number of the notified body do not necessarily have to be affixed within the Union. They may be affixed in a third country, for example if the product is manufactured there and the notified body carried out conformity assessment in that country in line with the relevant Union harmonisation legislation. The CE marking and the identification number can also be affixed separately, as long as they remain combined. Some Union harmonisation legislation also requires that the last digits of the year in which the CE marking was affixed are indicated.

### 3.1. Who must (not) affix the CE marking

The CE marking is affixed by the manufacturer (established inside or outside the Union), or by his authorised representative established within the Union.

By affixing the CE Marking the manufacturer declares on his sole responsibility that the product conforms to all applicable Union legislative requirements, and that the appropriate conformity assessment procedures have been successfully completed.

The manufacturer, whether established inside or outside the Union, is the entity ultimately responsible for the conformity of the product with the provisions of the Union harmonisation legislation and for the affixing of the CE marking. The manufacturer may appoint an authorised representative to affix the CE marking on his behalf.

By affixing the CE marking on a product, a manufacturer is declaring, on his sole responsibility (and irrespectively of whether a third-party has been involved in the conformity assessment process), conformity with all of the legal requirements to achieve CE marking.

If the importer or distributor or another operator places products on the market under his own name or trademark or modifies

them, he then takes over the manufacturer's responsibilities. This includes the responsibility for the conformity of the product and the affixing of the CE marking. In this case he must have sufficient information on the design and production of the product, as he will be assuming the legal responsibility when affixing the CE marking. harmonisation legislation. The CE marking and the identification number can also be affixed separately, as long as they remain

Next to the CE marking of conformity are being applied the identification number of the notified body, authorized to carry out the assessment of conformity. The identification number shall be affixed by the manufacturer or by his authorized representative. The CE conformity marking must be visible, legible and readily

accessible for officials who carry out market surveillance, and for consumers.

Products with the CE marking shall be accompanied by a Declaration of conformity. In this Declaration the manufacturer shall certify that they comply with the harmonized standards and comply with the essential safety requirements of the directives. With this statement the manufacturer assumes the responsibility that the products are safe.

#### **Conclusion:**

Buying an electrical appliance/device, the trader is obliged to provide, and we as consumers have every right to demand that the electrical equipment has to be:

1. with indicated name and headquarter address of the persons (manufacturer and importer);
2. with CE conformity marking and supplementary marking where required;
3. with declaration of conformity;
4. with manual and/or indication for use in Bulgarian language.

#### **Literature:**

- [1] Sandalski Br., Sandalski M., Vicheva M., I. Burov, Mitewa R., "Free Movement and technical competitiveness of products in the European Union", Sofia, 2011.
- [2] M. Vicheva, B. Sandalski, G. Stanchev, About Creating a Computer Communicative System "Standardized European Norms for Safety of Machines", VII International conference "Standardization, Prototyping and Quality: A Means of Balkan Countries' Collaboration", June 8-9, 2010, Zlatibor, Serbia, 139-145.