

EU legislation on CE-marking: Equipment for use in potentially explosive atmospheres (ATEX)

- Implementation plan -

Summary

The **CE marking** (also known as **CE mark**) is a mandatory conformity mark on many products placed on the single market in the European Economic Area (EEA). The **CE marking** does not certify that a product has met EU consumer safety, health or environmental requirements. CE marking might be difficult but obligatory to apply on certain products.

This guidance is based on the experiences of CBI when assisting exporters in developing countries. So, if you are manufacturing or exporting products related to equipment and Protective systems, please read this document carefully.

This document outlines the specific issues for *Directive 94/9/EC Equipment and Protective systems intended for use in a potentially Explosive Atmospheres (ATEX)*. This Directive sets requirements for equipment and Protective systems intended for use in a potentially Explosive Atmospheres. This Directive covers a surprisingly large range of equipment, potentially including equipment used on fixed offshore platforms, in petrochemical plants, mines, flour mills and other areas where a potentially explosive atmosphere may be present.

In very broad terms, there are three pre-conditions for the Directive to apply: the equipment

- must have its own source of ignition;
- be intended for use in a potentially explosive atmosphere (air mixtures); and
- be under normal atmospheric conditions.

This Directive also covers components essential for the safe use and safety devices directly contributing to the safe use of the equipment in scope. These latter devices may be outside the potentially explosive environment.

This directive has not been changed recently. The information has undergone editorial changes only.

Steps to apply the CE-marking

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| Step 1 | Determine which Directive(s) are applicable to your product |
| Step 2 | Check which standard(s) are applicable to your product |
| Step 3 | Check if the product complies with the essential health and safety requirements of the Directive(s) |
| Step 4 | Check if a notified body must be involved for certification, contact the notified body for details on the procedures |
| Step 5 | Draw up a Technical File, showing how the product complies with the requirements of the Directives, and which specifications (standards) have been applied |
| Step 6 | Test the product (type) according to the specifications in the technical file, and, if required in the relevant Directive(s), submit a model of the product to an EC type approval by a notified body |
| Step 7 | Draw up an EC Declaration of Conformity |
| Step 8 | Draw up a file in which the production process is described and, if required in the relevant Directive(s), submit the production process to a quality control procedure as describes in the Directive(s) |
| Step 9 | After all conformity assessment procedures: affix the CE-marking to the product |
| Step 10 | Monitor the production process |

Step 1 - Determine which Directive(s) are applicable to your product

Find out which Directive applies to your product. This is done by looking at the scope of the Directive, which is described in its text. Please note that more than one Directive might be applicable to your product.

1.1 Introduction

ATEX is short for "Equipment and Protective systems intended for use in a potentially Explosive Atmospheres" and named after the French "**AT**mosphere **EX**plosible". Directive 94/9/EC, which addresses these kinds of products, provides the technical requirements to be applied to equipment intended for use in potentially explosive atmospheres.

Manufacturers who apply the provisions of the Directive and affix the CE marking are able to sell their equipment anywhere in Europe without any further requirements being applied with respect to the risks covered. The latest version of the ATEX Directive, the consolidated text, can be found [here](#).

➤ *Please note* that step 1 requires investigation whether other Directives might be applicable as well. The scope of the Directives reveals if a product is described by the Directive. Some products may be subject to more than one Directive. For example, machinery designed for use in potentially explosive atmospheres must also comply with the Machinery Directive, and for electrical machinery and other equipment, the Low Voltage Directive (LVD) and the Directive on Electro-Magnetic Compatibility (EMC) may be applicable at the same time. If the equipment contains pressure equipment, the Pressure Equipment Directive (PED) may be relevant. See the related documents on the various Directives mentioned. To establish the relevance of the other Directives, see step 1 in each of the Directives described.

Directives that possibly apply as well

Directive	Title	Abbreviation
98/37/EEC (as amended)	Machinery	MD
73/23/EEC (as amended)	Low Voltage	LVD
89/336/EEC (as amended) 2004/108/EC (from 2007)	Electromagnetic Compatibility	EMC
97/23/EC (as amended)	Pressure Equipment	PED

➤ *Please note* that a full list of Directives is shown in the related document CE marking implementation plan. This includes a table with arrows, which are links to websites showing Directives, information about Directives, development of standards, and a list of harmonised standards in relation to the Directive concerned.

➤ More information of the EU on other possible applicable Directives including a short explanation, can be found [here](#).

1.2 Scope

The scope of a Directive reveals if a product is described by the Directive. The Directive covers a surprisingly large range of equipment, potentially including equipment used on fixed offshore platforms, in petro-chemical plants, mines, flour mills and other areas where a potentially explosive atmosphere may be present. The European market for such equipment is estimated at 3 billion Euro per year.

In very broad terms, there are three pre-conditions for the Directive to apply:

- 1 The equipment must have its own source of ignition;
- 2 Be intended for use in a potentially explosive atmosphere (air mixtures); and
- 3 Be under normal atmospheric conditions