



CONDITIONS OF USING CE MARK

Purpose: It is the determination of the application criteria for the use of the CE mark after the Modular system implemented by SCA under the ATEX 2014/34/EU Directive.

Scope: Using CE Mark on products

Responsible: Certified companies and SCA

Related Documents

- Regulation (EC) No 765/2008 and CE Mark application - Official Journal Date - No: 27/05/2021-31493

-ATEX 2014/34/EU Directive

Application

Following the SCA examinations, the CE mark to be used on the product is stated this instruction with the application and technical criteria that the company must comply with. Application responsibility belongs to the client.

- **MODULE A: INTERNAL PRODUCTION CONTROL:** The manufacturer shall affix the CE marking to each individual product other than a component that satisfies the applicable requirements of 2014/34/EU Directive.
- **MODULE B: EU TYPE EXAMINATION:** The manufacturer **cannot affix** the CE mark and the notified body identification number to the product after it has an EU Type Examination certificate. In order for the manufacturer to affix the CE mark and the identification number of the notified body, the manufacturer must apply to the notified body under the relevant module (Module D or C1 or E) and successfully complete the certification process.
- **MODULE D: CONFORMITY TO TYPE BASED ON QUALITY ASSURANCE OF THE PRODUCTION PROCESS:** The manufacturer shall affix the CE marking and, under the responsibility of the notified body , the latter's identification number to each individual product other than a component that is in conformity with the type described in the EU-type examination certificate and satisfies the applicable requirements of 2014/34/EU Directive.
- **MODULE C1: CONFORMITY TO TYPE BASED ON INTERNAL PRODUCTION CONTROL PLUS SUPERVISED PRODUCT TESTING:** The manufacturer shall affix the CE marking to each individual product other than a component that is in conformity with the type described in the EU-type examination certificate and satisfies the applicable requirements of 2014/34/EU Directive.
- **MODULE E: CONFORMITY TO TYPE BASED ON PRODUCT QUALITY ASSURANCE:** The manufacturer shall affix the CE marking and, under the responsibility of the notified body, the latter's identification number to each individual product other than a component that is in conformity with the type described in the EU-type examination certificate and satisfies the applicable requirements of 2014/34/EU Directive.
- **MODULE G: CONFORMITY BASED ON UNIT VERIFICATION:** The manufacturer shall affix the CE marking and, under the responsibility of the notified body, the latter's identification number to each product other than a component that satisfies the applicable requirements of 2014/34/EU Directive.

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Approving
Technical Manager

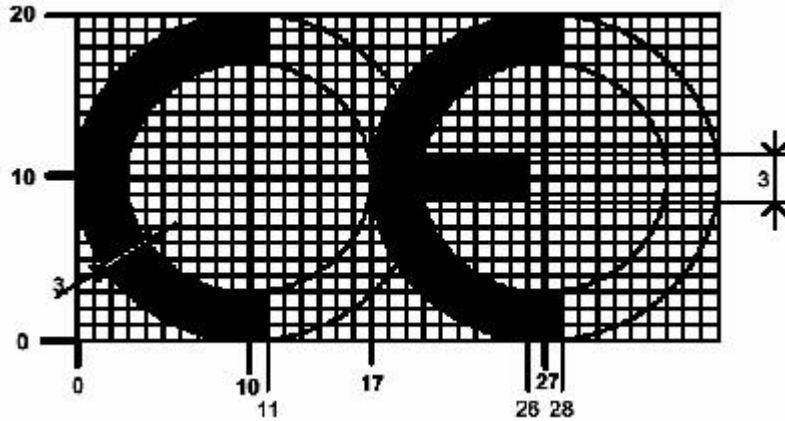
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1. GENERAL PRINCIPLES FOR THE AFFIX AND USE OF “CE” MARKING

Regulation (EC) No 765/2008 and CE Marking Regulation- Official Journal Date -No: 27/05/2021 – 31493

The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008 and CE Marking Regulation- Official Journal Date - No: 27/05/2021 – 31493.

- ‘CE marking’ shall mean a marking by which the manufacturer indicates that the product is in conformity with the applicable requirements set out in Community harmonisation legislation providing for its affixing;
- The CE marking shall consist of the initials ‘CE’ taking the following form:



- If the CE marking is reduced or enlarged, the proportions given in the graduated drawing above shall be respected.
- Where specific legislation does not impose specific dimensions, the CE marking shall be at least 5 mm high.
- By affixing or having affixed the CE marking, the manufacturer indicates that he takes responsibility for the conformity of the product with all applicable requirements set out in the relevant Community harmonisation legislation providing for its affixing.
- The CE marking shall be affixed before the product is placed on the market.
- The CE marking shall be affixed only by the manufacturer or his authorised representative.
- In cases required by the relevant technical regulation, in addition to the "CE" mark, the identification registration number of the notified body in the production control phase is also included. The identification number is placed by the manufacturer or the manufacturer's authorized representative in accordance with the notified body itself or the instructions of the notified body. In case a product is evaluated by more than one notified body due to the scope of different technical regulations, the identification numbers of all notified bodies involved in the production control phase are attached next to the "CE" mark.
- The CE marking shall be the only marking which attests the conformity of the product with the applicable requirements of the relevant Community harmonisation legislation providing for its affixing.
- The affixing to a product of markings, signs or inscriptions which are likely to mislead third parties regarding the meaning or form of the CE marking shall be prohibited. Any other marking may be affixed to the product provided that the visibility, legibility and meaning of the CE marking is not thereby impaired.
- The CE marking shall be affixed only to products to which its affixing is provided for by specific Community harmonisation legislation, and shall not be affixed to any other product.
- When required by the relevant technical regulations, the “CE” marking is affixed so that the visually impaired people can also read it.

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2. RULES AND CONDITIONS FOR AFFIXING THE CE MARKING

(1) The CE marking shall be affixed visibly, legibly and indelibly to the product or to its data plate. Where that is not possible or not warranted on account of the nature of the product, it shall be affixed to the packaging and to the accompanying documents.

(2) The CE marking shall be affixed before the product is placed on the market.

(3) The CE marking shall be followed by the identification number of the notified body, where that body is involved in the production control phase.

The identification number of the notified body shall be affixed by the body itself or, under its instructions, by the manufacturer or his authorised representative.

(4) The CE marking and, where applicable, the identification number of the notified body shall be followed by the specific marking of explosion protection , the symbols of the equipment-group and category and, where applicable, the other markings and information referred to in point 1.0.5 of Annex II at 2014/34/EU Directive.

According to Article 1.0.5 of ANNEX-II of 2014/34 / EU Directive;

All equipment and protective systems must be marked legibly and indelibly with the following minimum particulars:

- name, registered trade name or registered trade mark, and address of the manufacturer,
- CE marking (see Annex II to Regulation (EC) No 765/2008)
- designation of series or type,
- batch or serial number, if any,
- year of construction,
- the specific marking of explosion protection Image followed by the symbol of the equipment-group and category,
- for equipment-group II, the letter 'G' (concerning explosive atmospheres caused by gases, vapours or mists), and/or
- the letter 'D' (concerning explosive atmospheres caused by dust).

Furthermore, where necessary, they must also be marked with all information essential to their safe use.

(5) The CE marking and the markings, symbols and information referred to in paragraph 4, and, where applicable, the identification number of the notified body, may be followed by any other mark indicating a special risk or use. Products that are designed for a particular explosive atmosphere shall be marked accordingly.

(6) Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.

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3. INCASE OF INCORRECT USE OF THE CE MARK

(1) Where a Member State makes one of the following findings, it shall require the relevant economic operator to put an end to the non-compliance concerned:

(a) the CE marking has been affixed in violation of Article 30 of Regulation (EC) No 765/2008 or of section of "2.Rules And Conditions For Affixing The CE Marking" of this instruction;

(b) the CE marking, where required, has not been affixed;

(c) the specific marking of explosion protection Image , the symbols of the equipment-group and category and, where applicable, the other markings and information have been affixed in violation of point 1.0.5 of Annex II or have not been affixed;

(d) the identification number of the notified body, where that body is involved in the production control phase, has been affixed in violation of Article 16 or has not been affixed;

(e) the EU declaration of conformity or the attestation of conformity, as appropriate, does not accompany the product;

(f) the EU declaration of conformity or, where required, the attestation of conformity has not been drawn up correctly;

(g) technical documentation is either not available or not complete;

(h) the information referred to in Article 6(7) or 8(3) is absent, false or incomplete;

(i) any other administrative requirement provided for in Article 6 or 8 is not fulfilled.

2. Where the non-compliance referred to in paragraph 1 persists, the Member State concerned shall take all appropriate measures to restrict or prohibit the product being made available on the market or ensure that it is recalled or withdrawn from the market.

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