

Proposal for a new clarification document by the services of the European Commission

How to introduce in the market equipment out from the scope of Directive 94/9/EC (ATEX 1) intended to be used in the classified hazardous zones as per Directive 1999/92/EC (ATEX 2)

Considering that:

➤ *the Annex II part B of the Directive ATEX 2 establishes, in particular, the following categories for the equipment which must be used in the various zones:*

- *category 1 equipment in zone 0,*
- *category 1 or 2 equipment in zone 1,*
- *category 1, 2 or 3 equipment in zone 2*

and does not specify anything how to select the equipment not categorized, because out from the scope of ATEX 1;

➤ *any misleading marking liaised to any applicable Directive is forbidden (e.g. clause 11.1 ATEX GUIDELINES – 3dr edition June 2009);*

➤ *the assessment of explosion risks as per article 4 of ATEX 2, liaised to the obligations of the users / employers, is applicable to the installation / use of the equipment both in and out the scope of ATEX 1;*

➤ *for the drawing up the "explosion protection document" the users need to have suitable information on the equipment out from the scope of ATEX 1 bought from the market;*

➤ *it is necessary to eliminate the current distortion of the market for the equipment without any own potential source of ignition bearing marking in accordance with ATEX 1 (normally introduced in the market as categories 2 or 3);*

it is recommended to include in the technical manual of the equipment out from the scope of ATEX 1 but intended to be used in the classified hazardous zones as per Directive (ATEX 2):

➤ *an appropriate declaration of suitability. The enclosed sheet is one example.*

Example for suitability declaration consistent with part B - Annex II directive 1999/92/EC (ATEX 2) - for equipment intended for use in potentially explosive atmospheres which is out from the scope of directive 94/9/EC consequent to the prohibition of any misleading marking detailed in chapter 11 of ATEX GUIDELINES 3rd EDITION – June 2009

SUITABILITY DECLARATION

(in accordance with EN 45014)

We

.....

(manufacturer's name)

.....

(address)

declare under our sole responsibility that the product(s) series:

.....

(name, type or model, lot, batch or serial number)

described in the document(s):

.....

to which this declaration relates, complies (comply) with antistatic requirements and is (are) in conformity with the following standard(s) or other document(s)^a:

.....

(title and/or number and date of issue of the standard(s) or other normative document(s))

*it (they) **is (are) not within scope of directive 94/9/EC**, as it (they) **has (have) not any own potential sources of ignition** detailed in clause 5.3 of the document EN 1127-1 (evaluation deduced from an ATEX analysis included in the relevant documentation available at our archives that has considered all hazardous situations leading to explosion) when the product(s) is (are) used in the assemblies complying with the standard(s) document(s)*

.....

(title and/or number and date of issue of the standard(s) or other normative document(s))

*therefore it (they) **can be installed into every types of zones** classified as per the directive 1999/92/EC of 16 December 1999.*

^a Those subjected to pressure conform to also the directive 97/23/EC