GENERAL INFORMATION OF THE EMC DIRECTIVE 2004/108/EC
Requirements for placing equipment on the market

General information

The Directive 2004/108/EC of the European Parliament and of the Council of 15th of December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility has repealed the Directive 89/336/EEC since 20th of July 2007.
Referring to Article 15 of the new EMC directive 2004/108/EC an unchanged product could be placed on the market further on until 20th of July 2009 if it fulfils the essential requirements of the Directive 89/336/EEC and the first item was placed on the market before 20th of July 2007.

Definitions

1. For the purposes of this Directive, the following definitions shall apply:
   a) 'equipment' means any apparatus or fixed installation;
   b) 'apparatus' means any finished appliance or combination thereof made commercially available as a single functional unit, intended for the end user and liable to generate electromagnetic disturbance, or the performance of which is liable to be affected by such disturbance;
   c) 'fixed installation' means a particular combination of several types of apparatus and, where applicable, other devices, which are assembled, installed and intended to be used permanently at a predefined location;
   d) 'manufacturer' shall mean any natural or legal person who manufactures a product or has a product designed or manufactured, and markets that product under his name or trademark;
   e) 'placing on the market' shall mean the first making available of a product on the Community market;
   f) 'making available on the market' shall mean any supply of a product for distribution, consumption or use on the Community market in the course of a commercial activity, whether in return for payment or free of charge.

2. For the purposes of this Directive the following shall be deemed to be an apparatus within the meaning of paragraph 1(b) of Article 2:
   a) 'components' or 'sub-assemblies' intended for incorporation into an apparatus by the end user, which are liable to generate electromagnetic disturbance, or the performance of which is liable to be affected by such disturbance;
   b) 'mobile installations' defined as a combination of apparatus and, where applicable, other devices, intended to be moved and operated in a range of locations.

Member States shall take all appropriate measures to ensure that equipment is placed on the market and/or put into service only if it complies with the requirements of this Directive when properly installed, maintained and used for its intended purpose.

Useful links/information concerning electromagnetic compatibility (EMC)

- European Commission: http://ec.europa.eu/enterprise/electr_equipment/emc/index.htm
- EMC guideline of the directive 2004/108/EC: http://ec.europa.eu/enterprise/electr_equipment/emc/guides/emcguide_may2007.pdf
- Published harmonised standards in field of EMC: http://ec.europa.eu/enterprise/newapproach/standardization/harmstds/reflist/emc.html
- Notified bodies related to the EMCV- directive 2004/108/EC: http://ec.europa.eu/enterprise/newapproach/nando/index.cfm?fuseaction=directive.notifiedbody&dir_id=129141&type_dir=NO%20CPD&pro_id=99999&prc_id=99999&ann_id=99999&prc_anx=99999
- List of EMC contact points: http://ec.europa.eu/enterprise/electr_equipment/emc/contactpoints.htm

EMC directive 2004/108/EC of the European Parliament and of the council of 15th of December 2004

Quick guide on obligations associated with the placing of equipment on the market under the EMC directive

		Apparatus	Fixed installation	Administrative requirements for placing equipment on the market	Where? Equipment	Users instructions	Packaging	Indication before buying	Internet offers	Comments:
Marking	Identification of the product	ž		Each apparatus shall be identified in terms of type, batch, serial number or any other information allowing for the identification of the apparatus. (Art. 9/1 EMCD)	ž	<	<			
				Each apparatus shall be accompanied by the name and address of the manufacturer and, if he is not established within the Community, the name and address of his authorised representative or of the person in the Community responsible for placing the apparatus on the Community market. (Art. 9/2 EMCD)	•	•	•			Name of manufacturer at apparatus, full address at users instructions
	CE - mark	ž		Apparatus whose compliance with this Directive has been established by means of the procedure laid down in Article 7 shall bear the 'CE' marking which attests to that fact. The affixing of the 'CE' marking shall be the responsibility of the manufacturer or his authorised representative in the Community.	ž	<	<		<	CE
				Where the fixing of the CE marking is not possible or not warranted on account of the nature of the apparatus, it must be affixed to the user instructions and/or packaging.		•	•			height of at least 5 mm
	Instructions for use	ž		The manufacturer shall provide information on any specific precautions that must be taken when the apparatus is assembled, installed, maintained or used. (Art. 9/3 EMCD)		ž				Intended use information at users instruction
	Limitation for use	ž		Apparatus for which compliance with the protection requirements is not ensured in residential areas shall be accompanied by a clear indication of this restriction of use, where appropriate also on the packaging. (Art. 9/4 EMCD)			<	ž	ž	The user must be able to identify any restrictions prior to purchase
	User instructions	ž		The information required to enable apparatus to be used in accordance with the intended purpose of the apparatus shall be contained in the instructions accompanying the apparatus. (Art. 9/5 EMCD)		ž				User instructions in all languages where the product is intended to be placed on the market (see also GPSD)
	Language	ž		To ensure the intended use and the essential requirements of the EMCD it is recommended to use the official languages of the region in which the equipment is placed on the market (multilingual region: all languages). National provisions have to be taken into account.		<	<	<	<	
Placing on the market and/or putting into service		ž	ž	Member States shall take all appropriate measures to ensure that equipment is placed on the market and/or put into service only if it complies with the requirements of this Directive when properly installed, maintained and used for its intended purpose.						
		ž		Apparatus may only be placed on the market if they fulfil the requirements of Art. 5, 7, 8 and 9 EMCD.						
		ž		Apparatus, intended for incorporation into a given fixed installation and otherwise not commercially available, are covered by special (limited) requirements. For such apparatus the accompanying documentation shall identify the fixed installation and its electromagnetic compatibility characteristics and shall indicate the precautions to be taken for the incorporation of the apparatus into the fixed installation in order not to compromise the conformity of that installation. It shall furthermore include the information referred to in Article 9(1) and (2).						
			ž	A fixed installation shall be installed applying good engineering practices and respecting the information on the intended use of its components, with a view to meeting the protection requirements. This shall be documented and made available on request to the national authorities						
Conformity assessment procedure		ž		Referring to Art. 7 and Annex I. II, III and IV EMCD a conformity assessment procedure for apparatus has to be carried out and the essential requirements have to be fulfilled.						
		ž		Referring to Art. 7 and Annex II and IV EMCD the manufacturer creates a technical documentation which proves the essential requirements (corresponding point 4 of annex II). The manufacturer or his authorised representative in the Community shall hold the technical documentation at the disposal of the competent authorities for at least ten years after the date on which such apparatus was last manufactured.						
		ž		Referring to Art. 7 and Annex II point 5 EMCD the manufacturer creates a Declaration of Conformity (requirements as below). The manufacturer or his authorised representative in the Community shall hold the EC declaration of conformity at the disposal of the competent authorities for a period of at least ten years after the date on which such apparatus was last manufactured.						
Declaration of Conformity (DoC)		ž		**1.** Reference to Directive 2004/108/EC, **2** Identification of the apparatus to which it refers, as set out in Article 9(1), **3.** Name and address of the manufacturer and, where applicable, the name and address of his authorised representative in the Community, **4.** Dated reference to the specifications under which conformity is declared to ensure the conformity of the apparatus with the provisions of this Directive, **5.** Date of declaration, **6.** Identity and signature of the person empowered to bind the manufacturer or his authorised representative						Example of a DoC referring to ISO/IEC 17050-1:2004 is annexed

Mandatory requirements: ž Location at choice of the manufacturer: • Recommended requirements: <

Example of a declaration of conformity
(in accordance with EN ISO/IEC 17050-1:2004)
for products falling under the EMC directive 2004/108/EC

DECLARATION OF CONFORMITY (DoC)

Name and address of the manufacturer, and, where applicable, of his authorized representative within the Community: _____

Object of the declaration: _____
(means of type, batch, serial number _____
or any other information) _____

The above mentioned product complies with the essential requirements, which are specified in the directive 2004/108/EC on the approximation of the laws of the Member States relating to electromagnetic compatibility.

The product of the declaration described above is in conformity with the requirements of the following specifications:

Documents-No.:	Title:	Edition/Date of issue

Additional information:

_____
_____
_____
_____

_____ _____

(Date of issue of the DoC) (Identity and signature of responsible person)

Notes regarding example declaration of conformity
(EN ISO/IEC 17050-1:2004)

The following notes recommended by ADCO EMC inform you about the correct filling of a sample of a declaration of conformity (EN 17050-1:2004):

j The name and address of the manufacturer, and, where applicable, of his authorized representative within the Community has to be unequivocally specified. For large organizations, it may be necessary to specify operational groups or departments.

k The "object" should be unequivocally described so that the declaration of conformity may be related to the object in question. For an identification the product has to be signed with one of the following:

- Ø means of type or
- Ø batch or
- Ø serial number or any other information

The market surveillance authority would accept at least one of the above mentioned identifications, but if a manufacturer only refers to one, they should be aware that in the case of actions against their products, all products identified by this identification will fall under the actions (e.g. all equipment of a given type will be banned if there is no serial number).

l Requirements documents should be listed with their identification numbers, titles and dates of issue.

m If European harmonised standards have not been used or only partially, a reference to the manufacturer's technical documentation needs to be included and a reference to any identifiable non-harmonised standards or specifications that have been applied.

n The date and place of issue of the declaration of conformity have to be indicated.

Full name and function of the signing person(s) authorised by the issuer's management to sign on its behalf should be given (manufacturer/authorized representative). The number of signatures, or equivalent, included will be the minimum determined by the legal form of the issuer's organization.