Commission Implementing Decision (EU) 2020/542 of 16 April 2020 amending Implementing Decision (EU) 2019/1616 as regards safety devices for protection against excessive pressure, welded steel tubes for pressure purposes, unfired pressure vessels and metallic industrial piping

COMMISSION IMPLEMENTING DECISION (EU) 2020/542

of 16 April 2020

amending Implementing Decision (EU) 2019/1616 as regards safety devices for protection against excessive pressure, welded steel tubes for pressure purposes, unfired pressure vessels and metallic industrial piping

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council[(1)], and in particular Article 10(6) thereof,

Whereas:

(1) In accordance with Article 12 of Directive 2014/68/EU of the European Parliament and of the Council[(2)], pressure equipment or assemblies referred to in Article 4(1) and (2) of that Directive which are in conformity with harmonised standards or parts thereof, the references of which have been published in the *Official Journal of the European Union*, are to be presumed to be in conformity with the essential safety requirements covered by those standards or parts thereof referred to in Annex I to that Directive.

(2) By letter M/071 of 1 August 1994 the Commission made a request to the European Committee for Standardization (CEN) for drawing up, in relation to the pressure equipment, the product related standards and the standards of a horizontal nature in support of Directive 97/23/EC of the European Parliament and of the Council[(3)]. That Directive was replaced by Directive 2014/68/EU without changing the essential safety requirements referred to in Annex I to Directive 97/23/EC.

(3) On the basis of the request M/071 CEN, in order to reflect the state of the art, amended and revised some of the existing standards. Specifically, CEN amended standards EN ISO 4126-1:2013 for safety devices for protection against excessive pressure, EN 13445-3:2014 for unfired pressure vessels, EN 13480-1:2017 and EN 13480-6:2017 for metallic industrial piping. CEN also revised the standards series EN 10217 part 1 to 6 for welded steel tubes for pressure purposes.

(4) The Commission together with the CEN has assessed whether those standards on the pressure equipment as amended or revised by CEN comply with the request M/071.

(5) The standards on the pressure equipment as amended or revised by CEN satisfy the requirements which they aim to cover and which are referred to in Annex I to Directive 2014/68/EU. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*.

(6) References of amended or revised versions of standards are to be published for the standards: EN ISO 4126-1:2013, EN 10217-1:2002, EN 10217-1:2002/A1:2005, EN 10217-2:2002, EN 10217-2:2002/A1:2005, EN 10217-3:2002, EN 10217-3:2002/A1:2005, EN 10217-4:2002, EN 10217-4:2002/A1:2005, EN 10217-5:2002, EN 10217-5:2002/A1:2005, EN 10217-6:2002,EN 10217-6:2002/A1:2005, EN 13445-3:2014, EN 13445-3:2014/A1:2015, EN 13445-3:2014/A2:2016, EN 13445-3:2014/A3:2017, EN 13445-3:2014/A4:2018, EN 13445-3:2014/A5:2018, EN 13445-3:2014/A6:2019, EN 13480-1:2017, EN 13480-6:2017.

(7) It is therefore necessary to withdraw from the *Official Journal of the European Union*[4] references of the standards EN 10217-1:2002, EN 10217-1:2002/A1:2005, EN 10217-2:2002, EN 10217-2:2002/A1:2005, EN 10217-3:2002, EN 10217-3:2002/A1:2005, EN 10217-4:2002, EN 10217-4:2002/A1:2005, EN 10217-5:2002, EN 10217-5:2002/A1:2005, EN 10217-6:2002, EN 10217-6:2002/A1:2005, EN 13480-1:2017, EN 13480-6:2017, EN ISO 4126-1:2013.

(8) In order to provide the manufacturers with sufficient time to adapt their products to the revised standards EN 10217 part 1 to 6 for welded steel tubes for pressure purposes, it is necessary to defer the withdrawal of the references to those standards.

(9) References of harmonised standards drafted in support of Directive 2014/68/EU are published in Commission Implementing Decision (EU) 2019/1616[5]. In order to ensure that the references of harmonised standards drafted in support of Directive 2014/68/EU are listed in one act, the references of standards EN ISO 4126-1:2013, EN ISO 4126-1:2013/A2:2019; EN 10217-1:2019, EN 10217-2:2019, EN 10217-3:2019, EN 10217-4:2019, EN 10217-5:2019, EN 10217-6:2019, EN 13480-1:2017, EN 13480-1:2017/A1:2019, EN 13480-6:2017, EN 13480-6:2017/A1:2019 should be included in Annex I to that Implementing Decision, and the references to standards EN 10217-1:2002, EN 10217-1:2002/A1:2005, EN 10217-2:2002, EN 10217-2:2002/A1:2005, EN 10217-3:2002, EN 10217-3:2002/A1:2005, EN 10217-4:2002, EN 10217-4:2002/A1:2005, EN 10217-5:2002, EN 10217-5:2002/A1:2005, EN 10217-6:2002, EN 10217-6:2002/A1:2005, EN 13480-1:2017, EN 13480-6:2017, EN ISO 4126-1:2013 should be included in Annex II to that Implementing Decision.

(10) The reference of standard EN 13445-3:2014 and the references of its amendments EN 13445-3:2014/A1:2015, EN 13445-3:2014/A2:2016, EN 13445-3:2014/A3:2017, 13445-3:2014/A4:2018, EN 13445-3:2014/A5:2018, EN 13445-3:2014/A6:2019 are included in Annex I to Implementing Decision (EU) 2019/1616. Further two amendments have been made to standard EN 13445-3:2014. It is appropriate to replace the relevant entry in that Annex, adding the references of amendments EN 13445-3:2014/A7:2019 and EN 13445-3:2014/A8:2019.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/542. (See end of Document for details)*

(11) Implementing Decision (EU) 2019/1616 should therefore be amended accordingly.

(12) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2019/1616 is amended in accordance with Annex I to this Decision.

Article 2

Annex II to Implementing Decision (EU) 2019/1616 is amended in accordance with Annex II to this Decision.

Article 3

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 16 April 2020.

For the Commission

The President

Ursula VON DER LEYEN

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/542. (See end of Document for details)*

ANNEX I

Annex I to Implementing Decision (EU) 2019/1616 is amended as follows:

(1) entry No 8 is replaced by the following:

8.	EN 13445-3:2014 Unfired pressure vessels – Part 3: Design EN 13445-3:2014/A1:2015 EN 13445-3:2014/A2:2016 EN 13445-3:2014/A3:2017 EN 13445-3:2014/A4:2018 EN 13445-3:2014/A5:2018 EN 13445-3:2014/A6:2019 EN 13445-3:2014/A7:2019 EN 13445-3:2014/A8:2019

(2) the following entries are added:

No	**Reference of the standard**
‘15.	EN ISO 4126-1:2013 Safety devices for protection against excessive pressure – Part 1: Safety valves (ISO 4126-1:2013) EN ISO 4126-1:2013/A2:2019
16.	EN 10217-1:2019 Welded steel tubes for pressure purposes – Technical delivery conditions – Part 1: Electric welded and submerged arc welded non-alloy steel tubes with specified room temperature properties
17.	EN 10217-2:2019 Welded steel tubes for pressure purposes – Technical delivery conditions – Part 2: Electric welded non-alloy and alloy steel tubes with specified elevated temperature properties
18.	EN 10217-3:2019 Welded steel tubes for pressure purposes – Technical delivery conditions – Part 3: Electric welded and submerged arc welded alloy fine grain steel tubes with specified room, elevated and low temperature properties
19.	EN 10217-4:2019 Welded steel tubes for pressure purposes – Technical delivery conditions – Part 4: Electric welded non-alloy steel