



**SCREENING CHAPTER 01  
FREE MOVEMENT OF GOODS**

**AGENDA ITEM: PRESSURE VESSELS AND PRESSURE EQUIPMENT**

**THE REPUBLIC OF TURKEY  
20-24 FEBRUARY 2006**



## RESPONSIBLE AUTHORITY

THE MINISTRY OF INDUSTRY AND TRADE (MIT) IS RESPONSIBLE FOR TRANSPOSITION AND IMPLEMENTATION OF:

- THE SIMPLE PRESSURE VESSELS DIRECTIVE (87/404/EEC),
- PRESSURE EQUIPMENT DIRECTIVE (97/23/EC),
- COUNCIL DIRECTIVE ON AEROSOL DISPENSERS (75/324/EEC),
- COUNCIL DIRECTIVE ON COMMON PROVISIONS FOR PRESSURE VESSELS AND METHODS FOR INSPECTING THEM (76/767/EC),
- COUNCIL DIRECTIVE ON SEAMLESS, STEEL GAS CYLINDERS (84/525/EC),
- COUNCIL DIRECTIVE SEAMLESS, UNALLOYED ALUMINIUM AND ALUMINIUM ALLOY GAS CYLINDERS (84/526/EC),
- DIRECTIVE ON WELDED UNALLOYED, STEEL GAS CYLINDERS (84/527/EC).



## LEGAL BASIS – I

### RELATED EU LEGISLATION:

#### 1. AEROSOL DISPENSERS (OLD APPROACH)

COUNCIL DIRECTIVE 75/324/EEC ON THE APPROXIMATION OF THE LAWS OF THE MEMBER STATES RELATING TO AEROSOL DISPENSERS.

AMENDED BY: COMMISSION DIRECTIVE 94/1/EC

#### 2. COMMON PROVISIONS FOR PRESSURE VESSELS AND METHODS FOR INSPECTING THEM (OLD APPROACH)

COUNCIL DIRECTIVE 76/767/EEC ON THE APPROXIMATION OF THE LAWS OF THE MEMBER STATES RELATING TO COMMON PROVISIONS FOR PRESSURE VESSELS AND METHODS FOR INSPECTING THEM.

AMENDED BY: COUNCIL DIRECTIVE 87/354/EEC AND COUNCIL DIRECTIVE 88/665/EEC



## LEGAL BASIS - II

### RELATED EU LEGISLATION:

#### **3. SEAMLESS, STEEL GAS CYLINDERS (OLD APPROACH)**

COUNCIL DIRECTIVE 84/525/EEC ON THE APPROXIMATION OF THE LAWS OF THE MEMBER STATES RELATING TO SEAMLESS, STEEL GAS CYLINDERS.

#### **4. SEAMLESS, UNALLOYED ALUMINIUM AND ALUMINIUM ALLOY GAS CYLINDERS (OLD APPROACH)**

COUNCIL DIRECTIVE 84/526/EEC ON THE APPROXIMATION OF THE LAWS OF THE MEMBER STATES RELATING TO SEAMLESS, UNALLOYED ALUMINIUM AND ALUMINIUM ALLOY GAS CYLINDERS.



## LEGAL BASIS - III

### RELATED EU LEGISLATION:

#### 5. **WELDED ALLOYED, STEEL GAS CYLINDERS (OLD APPROACH)**

COUNCIL DIRECTIVE 84/527/EEC ON THE APPROXIMATION OF THE LAWS OF THE MEMBER STATES RELATING TO WELDED ALLOYED, STEEL GAS CYLINDERS.

#### 6. **SIMPLE PRESSURE VESSELS (NEW APPROACH)**

COUNCIL DIRECTIVE 87/404/EEC ON THE HARMONISATION OF THE LAWS OF THE MEMBER STATES RELATING TO SIMPLE PRESSURE VESSELS AMENDED BY COUNCIL DIRECTIVE 90/488/EEC AND COUNCIL DIRECTIVE 93/68/EEC.

#### 7. **PRESSURE EQUIPMENT (NEW APPROACH)**

EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE 97/23/EC ON THE APPROXIMATION OF THE MEMBER STATES CONCERNING PRESSURE EQUIPMENT.



## LEGAL BASIS - IV

### TRANSPOSING REGULATION:

DG FOR MEASUREMENT AND STANDARDS OF MIT, TRANSPOSED THE RELEVANT EU DIRECTIVES AND PUT INTO FORCE THE FOLLOWING REGULATIONS (TAKING THE AMENDMENTS INTO ACCOUNT);

1. **REGULATION ON AEROSOL DISPENSERS** (OG NO. 24246, DATED 30.11.2000 - ENTERED INTO FORCE ON 30.05.2002)
2. **REGULATION ON COMMON PROVISIONS FOR PRESSURE VESSELS AND METHODS FOR INSPECTING THEM** (OG NO. 24226, DATED 10.11.2000 - ENTERED INTO FORCE ON 10.11.2001)
3. **REGULATION ON SEAMLESS, STEEL GAS CYLINDERS** (OG NO. 24226, DATED 10.11.2000 - ENTERED INTO FORCE ON 01.07.2003)



## LEGAL BASIS - V

### TRANSPOSING REGULATION:

4. **REGULATION ON SEAMLESS, UNALLOYED ALUMINIUM AND ALUMINIUM ALLOY GAS CYLINDERS** (OG NO. 24333, DATED 01.03.2001- ENTERED INTO FORCE ON 01.07.2003)
5. **REGULATION ON WELDED UNALLOYED, STEEL GAS CYLINDERS** (OG NO. 24298, DATED 25.01.2001 - ENTERED INTO FORCE ON 01.07.2003)
6. **REGULATION ON SIMPLE PRESSURE VESSELS** (OG NO. 24712, DATED 31.03.2002 - ENTERED INTO FORCE ON 01.01.2004)  
(87/404/EC)
7. **REGULATION ON PRESSURE EQUIPMENT** (OG NO. 24722, DATED 10.04.2002 - ENTERED INTO FORCE ON 01.01.2004)  
(97/23/EC)



## EXCHANGE OF OPINION WITH THE EUROPEAN COMMISSION

- THE TRANSPOSED REGULATION WAS SENT TO THE EUROPEAN COMMISSION.
- THE PROCESS OF OPINION EXCHANGE WITH THE EUROPEAN COMMISSION IS CONTINUING.





## RELATED STANDARDS - I

THE HARMONISED EUROPEAN STANDARDS ARE TRANSPOSED AND PUBLISHED AS NATIONAL STANDARDS BY TURKISH STANDARDS INSTITUTE (TSE).

▪ REGULATION ON PRESSURE EQUIPMENT (97/23/EC):

TOTAL NUMBER OF EN STANDARDS	:	122
NUMBER OF HARMONISED EN STANDARDS	:	111

▪ REGULATION ON SIMPLE PRESSURE VESSELS (87/404/EC):

TOTAL NUMBER OF EN STANDARDS	:	12
NUMBER OF HARMONISED EN STANDARDS	:	12

REFERENCE NUMBERS OF EN STANDARDS HAVE BEEN ISSUED IN THE OG.



## RELATED STANDARDS – II

ALTHOUGH ALL OF THE EN STANDARDS HAVE NOT BEEN TRANSPOSED YET, THE TECHNICAL COUNCIL OF TSE DECIDED TO ADOPT ALL EN STANDARDS AS NATIONAL STANDARDS, WHETHER TRANSPOSED OR NOT



## CONFORMITY ASSESSMENT - I

- IN ORDER TO ENSURE TRANSPARENCY AND INDEPENDENCE OF NBs TO BE DESIGNATED BY MIT, THERE WAS A NEED TO ANNOUNCE THE APPLICATION, ASSESSMENT AND DESIGNATION PROCEDURES AND THE CRITERIA FOR THE NBs AND CABs ON DIRECTIVE BASIS TO THE CANDIDATE BODIES.
- IN THIS CONTEXT, THE COMMUNIQUÉ ON THE BASIC CRITERIA FOR THE DESIGNATION OF CABs IN ACCORDANCE WITH THE PRESSURE EQUIPMENT REGULATION (ÖSGM/2003-7) AND THE COMMUNIQUÉ ON BASIC CRITERIA FOR THE DESIGNATION OF CABs IN ACCORDANCE WITH THE SIMPLE PRESSURE VESSELS REGULATION (ÖSGM/2003-5) WERE PUBLISHED IN OG NO. 25030, DATED 24 FEBRUARY 2003 BY MIT.



## CONFORMITY ASSESSMENT - II

- ACCORDING TO THE ABOVE MENTIONED CRITERIA, CABs WISHING TO BE APPOINTED BY THE MIT AS A NB SHOULD FULFILL THE FOLLOWING REQUIREMENTS:
- THE REQUIREMENTS LAID DOWN IN THE REGULATION ON CONFORMITY ASSESSMENT AND NBs PUBLISHED IN THE OG NO. 24643, DATED 17 JANUARY 2002.
- MINIMUM CRITERIA FOR NBs SET OUT IN THE ANNEX TO THE RELATED DIRECTIVES.



## CONFORMITY ASSESSMENT - III

THE COMMUNIQUÉ COVERS;

- TECHNICAL AND ADMINISTRATIVE CRITERIA TO BE MET BY CABs (NO ADDITIONAL CRITERIA OTHER THAN THOSE MENTIONED IN THE DIRECTIVE, REFERENCE TO EN 45000 SERIES)
- APPLICATION PROCEDURE (WHERE TO APPLY, ACCOMPANYING DOCUMENTS FOR APPLICATION)
- EVALUATION PROCEDURE
- DESIGNATION
- DUTIES AND RESPONSIBILITIES OF CABs



## CONFORMITY ASSESSMENT - IV

### PROTOCOL WITH TURKISH ACCREDITATION AGENCY (TÜRKAK):

- THE MIT SIGNED A PROTOCOL WITH TÜRKAK ON 18.04.2003.
- ACCORDING TO THIS PROTOCOL, TÜRKAK MAKES ALL NECESSARY ASSESSMENTS FOR DESIGNATION.
- UPON THE POSITIVE ASSESSMENT REPORT OF TÜRKAK, MIT MAKES THE FINAL DECISION TO NOTIFY THE CANDIDATE BODY TO THE COMMISSION VIA UFT.



## CONFORMITY ASSESSMENT BODIES – V

### FOR PRESSURE EQUIPMENT REGULATION (97/23/EC):

- TURKISH LLOYD FOUNDATION HAS BEEN NOTIFIED TO THE EUROPEAN COMMISSION FOR THE FOLLOWING MODULES:

MODULE A1, MODULE B, MODULE B1, MODULE C1, MODULE D, MODULE D1, MODULE E, MODULE E1, MODULE F, MODULE G, MODULE H, MODULE H1

- TSE HAS BEEN NOTIFIED TO THE EUROPEAN COMMISSION FOR THE FOLLOWING MODULES:

MODULE D, MODULE D1, MODULE E, MODULE E1, MODULE H, MODULE H1

- AS TURKEY'S CABs ALREADY NOTIFIED TO THE EUROPEAN COMMISSION HAVE NOT BEEN ALLOCATED IDENTIFICATION NUMBERS SINCE THE END OF 2003, OTHER POTENTIAL NBs ARE RELUCTANT TO APPLY.



## CONFORMITY ASSESSMENT BODIES - VI

- FOR SIMPLE PRESSURE VESSELS REGULATION (87/404/EC), TURKISH LLYOD FOUNDATION HAS BEEN NOTIFIED.
  
- THE ASSESSMENT PROCESS OF TÜRKAK FOR THE FOLLOWING CABs FOR PRESSURE EQUIPMENT IS IN PROGRESS :
  - ✓ CHAMBER OF MECHANICAL ENGINEERS
  
  - ✓ MEYER CERTIFICATION LTD.
  
  - ✓ İPRAGAZ (AS USER INSPECTORATE)
  
  - ✓ BUREAU VERITAS, BV (ALSO FOR THE SIMPLE PRESSURE VESSELS)





## MARKET SURVEILLANCE - I

THE MIT HAS BEEN CARRYING OUT MARKET SURVEILLANCE ACTIVITIES ACCORDING TO NATIONAL LEGISLATION WITH ITS INSPECTORS AT 81 PROVINCIAL DIRECTORATES SINCE ITS ESTABLISHMENT.

ACCORDING TO LAW NO. 3143 ON THE ESTABLISHMENT AND DUTIES OF THE MIT, MARKET CONTROLS ON ALMOST ALL INDUSTRIAL PRODUCTS HAVE BEEN PERFORMED BY MIT SINCE 1985.

THE EXPERIENCE GAINED BY THE MIT SINCE 1985 HAS CONTRIBUTED TO MIT'S ADAPTATION TO THE REQUIREMENTS OF THE MARKET SURVEILLANCE FORESEEN BY THE EU LEGISLATION.



## MARKET SURVEILLANCE - II

- THE MIT STRENGTHENED AND RE-ORGANISED ITS EXISTING SYSTEM ACCORDING TO THE NEW LEGISLATION.
- MARKET SURVEILLANCE IS CARRIED OUT PURSUANT TO THE PROVISIONS OF:
  - ✓ THE LAW NO. 4703 ON THE PREPARATION AND IMPLEMENTATION OF TECHNICAL LEGISLATION ON PRODUCTS (PUBLISHED IN THE OG NO. 24459 DATED, 11.07.2001),
  - ✓ THE REGULATION NO. 2001/3529 ON MARKET SURVEILLANCE OF PRODUCTS (PUBLISHED IN THE OG NO. 24643 DATED 17.01.2002),
  - ✓ THE REGULATION ON PROCEDURES AND PRINCIPLES FOR MARKET SURVEILLANCE TO BE PERFORMED BY THE MIT (PUBLISHED IN THE OG NO. 25103 DATED 09.05.2003).



## MARKET SURVEILLANCE - III

ACCORDING TO THE LATTER REGULATION:

- THREE DGs ARE RESPONSIBLE FOR MARKET SURVEILLANCE TOGETHER WITH 81 PROVINCIAL DIRECTORATES: DG FOR INDUSTRY, DG FOR MEASUREMENT AND STANDARDS, DG FOR PROTECTION OF CONSUMERS AND COMPETITION.
- COORDINATION COMMISSION CONSISTING OF THE DIRECTOR GENERALS OF THE DG FOR INDUSTRY, DG FOR STANDARDS AND MEASUREMENT, DG FOR PROTECTION OF CONSUMERS AND COMPETITION AND DG FOR EU COORDINATION, THE FIRST LEGAL ADVISER, HEAD OF DATA PROCESSING DEPARTMENT UNDER THE PRESIDENCY OF THE UNDERSECRETARY OF MIT HAS BEEN ESTABLISHED.
- THIS COMMISSION MEETS EVERY THREE MONTHS, MAKES THE GENERAL POLICY OF MIT, ENSURES CO-ORDINATION AMONG DIFFERENT DGs AND PROVINCIAL DIRECTORATES CONCERNING MARKET SURVEILLANCE.



## MARKET SURVEILLANCE - IV

- THE MIT HAS BEEN PERFORMING MARKET SURVEILLANCE SINCE 2003.
- UNTIL THE YEAR 2005, THIS SURVEILLANCE WAS IN THE FORM OF PROVIDING INFORMATION ABOUT INADEQUACIES FOUND AS WELL AS GIVING INFORMATION ABOUT THE NEW SYSTEM TO THE MANUFACTURERS.
- MIT HAS STARTED TO IMPOSE SANCTIONS SINCE 2005 ACCORDING TO EU-BASED LEGISLATION.
- THE TOTAL NUMBER OF INSPECTORS : 670
  - DG FOR INDUSTRY: 25
  - DG FOR MEASUREMENT AND STANDARDS: 25
  - DG FOR PROTECTION OF CONSUMERS AND COMPETITION : 20
  - PROVINCIAL OFFICES : 600
- IN-HOUSE TRAINING SEMINARS WERE HELD FOR INSPECTORS IN 81 PROVINCIAL DIRECTORATES AND DGs.



## MARKET SURVEILLANCE - V

### THE LIST OF RISKY PRODUCTS:

THE MIT HAS BEEN PREPARING THE LIST OF RISKY PRODUCTS IN ORDER TO TAKE APPROPRIATE MEASURES AND TO MAKE USE OF IT FOR FUTURE MARKET SURVEILLANCE ACTIVITIES.

WHILE PREPARING THE LIST OF RISKY PRODUCTS, MIT MAKES USE OF;

- RAPEX WEB SITE
  - ✓ MIT CHECKS RAPEX WEB SITE WEEKLY.
  - ✓ NEWLY NOTIFIED RISKY PRODUCTS RELATED WITH PED OR SPVD, ARE THEN ADDED TO THE LIST OF RISKY PRODUCTS.
  - ✓ MIT CONDUCTS THE NECESSARY MARKET SURVEILLANCE.
- NOTIFICATIONS BY THE MEMBER STATES (CIRCA),
- COMPLAINTS OF CONSUMERS, MANUFACTURERS OR ASSOCIATION OF PRESSURE EQUIPMENT SECTOR,
- ACCIDENTS,
- OTHER SOURCES.



## MARKET SURVEILLANCE - VI

### PROJECTS WITHIN THE SCOPE OF PRE-ACCESSION FINANCIAL PROGRAMME (2003 PROGRAMMING):

- “SUPPORT TO THE TURKISH CONFORMITY ASSESSMENT BODIES AND THE MINISTRY OF INDUSTRY AND TRADE IN THE IMPLEMENTATION OF SOME NEW APPROACH DIRECTIVES” PROJECT.
- 3 BENEFICIARY MINISTRIES.
- THIS PROJECT HAS THREE COMPONENTS:

COMP. 1: FEASIBILITY STUDY FOR THE SUPPLY OF EQUIPMENT FOR CABs (WAS COMPLETED)

COMP. 2: SUPPLY OF EQUIPMENT FOR CABs (WAS COMPLETED)

COMP. 3: TWINNING FOR MIT

(CONTRACT HAVE BEEN DONE BETWEEN MIT AND BAM, ON, BSI. BAM IS THE PROJECT LEADER)



## MARKET SURVEILLANCE - VII

### PROJECTS WITHIN THE SCOPE OF PRE-ACCESSION FINANCIAL PROGRAMME (2003 PROGRAMMING)

- TWINNING COMPONENT OF THE PROJECT:
- THE PURPOSE OF THE PROJECT IS TO STRENGTHEN THE CAPACITY OF THE MIT IN THE AREA OF MARKET SURVEILLANCE. IN PARTICULAR, THE PROJECT AIMS;
  - ✓ TO FACILITATE THE ADOPTION
  - ✓ TO IMPROVE THE ADMINISTRATIVE COMPETENCE AND TECHNICAL SKILLS OF THE MIT
  - ✓ TO IMPROVE INFORMATION AND COMMUNICATION FLOWS TO INTERNAL AND EXTERNAL STAKEHOLDERS OF THE MIT IN THE AREA OF MARKET SURVEILLANCE.



## MARKET SURVEILLANCE - VIII

### 77 TRAINING ACTIVITIES:

- GENERAL TRAINING ABOUT “NEW APPROACH”
- DIRECTIVE BASED TRAINING

(KICK OFF MEETING WAS HELD IN MARCH 2005. AFTER THE GENERAL TRAINING, TRAINING ON THE SPECIFIC DIRECTIVES ARE NOW CONTINUING: SPVD, PED, LVD, ETC. TARGET IS TO TRAIN 155 INSPECTORS ON PED AND SPVD ).





## MARKET SURVEILLANCE - IX

### OTHER ACTIVITIES:

- THE MIT HAS HAD ACCESS TO “CIRCA” DATABASE, SINCE MAY 2004.
- PARTICIPATED IN THE FOLLOWING TAIEX ACTIVITIES:
- TAIEX TECHNICAL VISIT TO GERMANY ON PRESSURE EQUIPMENT TÜV-NORD, HAMBURG/GERMANY , 10 – 13 MAY 2005
- WORKSHOP ON WGP, BRATISLAVA – SLOVAKIA, 11 – 13 APRIL 2005
- WORKSHOP ON WGP, WARSAW – POLAND, 24 – 26 AUGUST 2004



## MARKET SURVEILLANCE - X

- DG FOR MEASUREMENT AND STANDARDS HAS BEEN PREPARING ITS MARKET SURVEILLANCE PROGRAM IN ONE - YEAR PERIODS. ACCORDING TO THIS PROGRAM MARKET SURVEILLANCE HAS BEEN PERFORMED SINCE 01.01.2004.
- MARKET SURVEILLANCE HAS BEEN PERFORMED TOGETHER WITH PROVINCIAL OFFICE INSPECTORS. IN ADDITION, PERIODICAL, INSTANT AND UPON COMPLAINT INSPECTIONS IS BEING PERFORMED BY DG FOR MEASUREMENT AND STANDARDS.
- ON THE FOLLOWING TABLES, THE MARKET SURVEILLANCE RESULTS WERE GIVEN FOR THE YEARS 2004 AND 2005.



## MARKET SURVEILLANCE ON SIMPLE PRESSURE VESSELS AND PRESSURE EQUIPMENT IN 2004

DIRECTIVE	NUMBER OF NON-CONFORMING PRODUCTS		NUMBER OF CONFORMING PRODUCTS		TOTAL NUMBER
	DOMESTIC	IMPORTED	DOMESTIC	IMPORTED	
(87/404/EC) SIMPLE PRESSURE VESSELS	132	1	38	3	174
(97/23/EC) PRESSURE EQUIPMENT	400	21	430	5	856
TOTAL	654		476		1030



## MARKET SURVEILLANCE ON SIMPLE PRESSURE VESSELS AND PRESSURE EQUIPMENT IN 2005

<b>REGULATION</b>	<b>NUMBER OF NON-CONFORMING PRODUCTS</b>	<b>NUMBER OF CONFORMING PRODUCTS</b>	<b>TOTAL NUMBER</b>
<b>(87/404/EC) SIMPLE PRESSURE VESSELS</b>	<b>163</b>	<b>4</b>	<b>167</b>
<b>(97/23/EC) PRESSURE EQUIPMENT</b>	<b>364</b>	<b>549</b>	<b>913</b>
<b>GENERAL TOTAL</b>	<b>527</b>	<b>553</b>	<b>1080</b>



## MARKET SURVEILLANCE - XI

- DG FOR MEASUREMENT AND STANDARD IS RESPONSIBLE FOR 6 NEW AND GLOBAL APPROACH AND 32 OLD APPROACH DIRECTIVES.
- BUDGET FOR THE MARKET SURVEILLANCE ACTIVITIES OF THESE DIRECTIVES IS AROUND 400,000 EUROS.
  - ✓ 171,875 EUROS OF THIS AMOUNT IS FOR TAKING SAMPLES, TESTING AND TRAINING EXPENSES.
  - ✓ 228,500 EUROS OF THIS AMOUNT IS FOR THE PERSONNEL EXPENSES.



## **NATIONAL TECHNICAL COMMITTEE ON PRESSURE VESSELS**

- BASTEK FORMED BY REPRESENTATIVES FROM PUBLIC AND PRIVATE SECTORS WAS ESTABLISHED BY A COMMUNIQUE PUBLISHED IN THE OG OF 6 MAY 2004 TO DISCUSS AND TAKE ADVISORY DECISIONS ON TRANSPOSITION AND IMPLEMENTATION OF THE EU TECHNICAL LEGISLATION ON PRESSURE EQUIPMENT.
- 4 MEETINGS HAVE BEEN ORGANISED SO FAR.
- WHEN NECESSARY, RELATED PUBLIC AND PRIVATE INSTITUTIONS ARE ALSO INVITED TO THE MEETINGS.



## PARTICIPATION IN STANDING COMMITTEE AND EXPERTS GROUP

- DG FOR MEASUREMENT AND STANDARDS IS THE CONTACT POINT FOR ADCO AND PRESSURE EQUIPMENT WORKING GROUPS.
- THE MIT RECEIVES DOCUMENTATION, NOTIFICATION AND INVITATIONS, ETC., VIA CIRCA.
- THE MIT ATTENDS FOLLOWING MEETINGS;
  - ✓ ADCO MEETINGS
  - ✓ PRESSURE EQUIPMENT GUIDELINE WORKING GROUP (WPG)
  - ✓ PRESSURE EQUIPMENT WORKING GROUP (WGP)
  - ✓ WORKSHOPS



## WEB-SITE:

THE MIT HAS A WEB-SITE WHICH IS ACCESSIBLE TO ALL STAKEHOLDERS ;

<http://www.sanayi.gov.tr>

IT IS POSSIBLE TO OBTAIN INFORMATION AND THE RELATED DOCUMENTS ON MIT'S;

- ORGANISATION
- LEGISLATION
- NOTIFICATION
- ACTIVITIES
- TRAINING, ETC.





THANK YOU FOR YOUR ATTENTION