

Information sheet on the amendment of the *Measuring Instruments Directive* and of the *Directive for Non-automatic Weighing Instruments*

Within the scope of the introduction of the new legal framework of the European Union [1], the current European Directives 2004/22/EC for measuring instruments (MID) [2] and 2009/23/EC for non-automatic weighing instruments (NAWID) [3] will be replaced on 20.04.2016 by the new European Directives 2014/32/EU [4] and 2014/31/EU [5].

The new directives have been transposed into German law within the scope of the Measures and Verification Act [6] and the Measures and Verification Ordinance [7]. Measuring instruments or non-automatic weighing instruments which are covered by the directives and will be placed on the market from 20.04.2016 onwards must meet the requirements of the new directives.

Modifications applied

The new directives implement the requirements of EU Regulation (EC) 765/2008 for accreditation and market surveillance [8] and of EU Decision 768/2008/EC on a common legal framework for the marketing of products [9]. Mainly procedural amendments are made, but no amendments regarding the scope of validity, the fundamental requirements¹ and the possible conformity assessment procedures (modules)². Therefore, the harmonized standards and the normative documents which have been valid for the previous directives maintain their presumption of conformity also for the new Directives³ [12].

In the new directives, essentially, the following amendments which are important for manufacturers have been made:

- Specification of the roles and obligations of economic operators (manufacturers, authorized representatives, importers, distributors),
- Clarification of the description of the conformity assessment procedures (modules),
- Importers, distributors and users may become manufacturers if they place instruments on the market under their own name or if they essentially modify instruments which have already been placed on the market,
- Introduction of a risk analysis and a risk assessment,
- Concrete requirements to be met by the structure and contents of the declarations of conformity,
- Change of the conformity marking for non-automatic weighing instruments,
- Manufacturers and, if applicable, importers must apply their complete address to the instruments.

A detailed analysis of differences has been published by the British NMRO [13].

Additional information can be taken from the Blue Guide [14] which was updated in 2014.

Transitional provisions

Until 19.04.2016, the old directives must still be applied; the new directives must be applied from 20.04.2016 onwards. The consequence of this is, in particular, that declarations of conformity for measuring instruments which are placed on the market until 19.04.2016 must still relate to the old directive, and

¹ This does not apply to water meters according to Annex MI-001. Here, an amendment of the flowrate range of $Q_3/Q_1 \geq 40$ was introduced within the scope of the Measuring Instruments Directive of 31.10.2014 [10].

² This does not apply to capacity serving measures according to Annex MI-008 II. Here, the conformity assessment procedure has been renamed module A2 according to Annex A1. In the case of module A2 it will, in addition, now be possible to have product tests performed by an accredited internal body.

³ Note: With notification 2015/C 300/02 [11] and with effect of 20.04.2016, the EU has, however, repealed the presumption of conformity of standard EN 45501:1992 for the Weighing Instruments Directive 2009/23/EC valid so far.

declarations of conformity for measuring instruments which are placed on the market from 20.04.2016 onwards must relate to the new directive.

Another consequence of this is that no attestations and certificates relating to the new directive can be issued before 20.04.2016.

Certificates which have been issued according to the old directives remain valid within the scope of the respective new directive. The consequence of this is that – provided that no other modification is made – it is not necessary to rewrite certificates and attestations on 20.04.2016 according to the new directive. From 20.04.2016 onwards, PTB's Conformity Assessment Body will not, however, revise certificates which have been issued with reference to the old directives. In the case of modifications of the instrument type, it will then become necessary to issue, for example, a new type-examination certificate with reference to the new directive.

Notification of PTB's Conformity Assessment Body

PTB's Conformity Assessment Body was registered in the NANDO database of the EU as a notified body for modules B, D, D1 and G of Directive 2014/32/EU and Directive 2014/31/EU on 21.12.2015 [15]. We can, therefore, already accept applications for conformity assessment procedures according to the new directives; certificates may, however, not be issued before 20.04.2016.

For application, please use the forms made available on the website of PTB's Conformity Assessment Body [16].

Your contact partners in PTB's Conformity Assessment Body remain unchanged.

For type examinations (module B) and unit verifications (module G):

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Heat quantity measuring instruments	Dr. Jürgen Rose	7.5	+49(0)30/3481-7250
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Exhaust meters	Arne Kuntze	3.2	+49(0)531/592-3207
Taximeters	Helga Grohne	1.3	+49(0)531/592-1632
Weighing instruments	Dr. Oliver Mack	1.1	+49(0)531/592-1143

For QA recognitions (modules D and D1):

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For general questions regarding conformity assessments:

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On behalf of PTB

signed Stolz
 Dr. Harry Stolz

Managing Director of PTB's Conformity Assessment Body
 Head of Certification Sector 3 "Measuring Instruments Directive"

signed Knopf
 Dr. Dorothea Knopf

Head of Certification Sector 2 "Non-automatic Weighing Instruments and OIML Certifications"

References/Links:

- [1] http://ec.europa.eu/growth/single-market/goods/new-legislative-framework/index_en.htm
- [2] DIRECTIVE 2004/22/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 31 March 2004 on measuring instruments (OJ L 135, 30.4.2004, pp. 1-80)
(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32004L0022&from=en>)
- [3] DIRECTIVE 2009/23/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 on non-automatic weighing instruments (OJ L 122, 16.5.2009, pp. 6–27)
(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0023&from=EN>)
- [4] DIRECTIVE 2014/32/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments (recast) (OJ L 96, 29.3.2014, pp. 149–250)
(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0032&from=EN>)
- [5] DIRECTIVE 2014/31/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments (recast) (OJ L 96, 29.3.2014, pp. 107–148)
(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0031&from=EN>)
- [6] Gesetz über das Inverkehrbringen und die Bereitstellung von Messgeräten auf dem Markt, ihre Verwendung und Eichung sowie über Fertigpackungen vom 25.07.2013 (Mess- und Eichgesetz – Messeg), (BGBl. I Nr. 43, 31. Juli 2013, p. 2723)
(<http://www.gesetze-im-internet.de/bundesrecht/messeg/gesamt.pdf>)
- [7] Verordnung zur Neuregelung des gesetzlichen Messwesens und zur Anpassung an europäische Rechtsprechung vom 11. 12.2014, (BGBl. I Nr. 58, 17. Dezember 2014, p. 2010)
(<http://www.gesetze-im-internet.de/bundesrecht/messeg/gesamt.pdf>)
- [8] REGULATION (EC) No 765/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, pp. 30–47)
(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008R0765&from=DE>)
- [9] DECISION No 768/2008/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC (OJ L 218, 13.8.2008, pp. 82–128)
(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0082:0128:en:PDF>)
- [10] COMMISSION DELEGATED DIRECTIVE (EU) 2015/13 of 31 October 2014 amending Annex III to Directive 2014/32/EU of the European Parliament and of the Council regards the flowrate of water meters) (OJ L 96, 29.3.2014, pp. 149–250)
(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L0013&from=EN>)
- [11] Commission communication in the framework of the implementation of Directive 2009/23/EC of the European Parliament and of the Council on non-automatic weighing instruments (Codified version) (OJ C 300, 11.9.2015, pp. 3–4)
(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2015:300:FULL&from=EN>)
- [12] http://ec.europa.eu/growth/single-market/goods/building-blocks/legal-metrology/measuring-instruments/index_en.htm
- [13] National Measurements and Regulation Office
(<https://www.gov.uk/government/organisations/national-measurement-and-regulation-office>)
- [14] Guide on the implementation of EU product rules
(<http://ec.europa.eu/DocsRoom/documents/12661>)
- [15] http://ec.europa.eu/growth/tools-databases/nando/index.cfm?fuseaction=directive.nb&refe_cd=EPOS_43424
- [16] <http://www.kbs.ptb.de>