



**EUROPEAN COMMISSION**  
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL  
Resources Based, Manufacturing and Consumer Goods Industries  
**Engineering Industries**

Brussels, 08 April 2014

## **Notification procedure according to Article 9 of the Low Voltage Directive (Safeguard Clause notification)**

### **Introduction**

*This document describes the procedure to be used by the National Authorities of the EEA when notifying measures taken within the framework of article 9 of the Low Voltage Directive, i. e., when notifying a **LVD safeguard clause**.*

*This procedure has been discussed within the LVD Administrative Cooperation Working Group and has been agreed by consensus. All concerned parties are requested to follow it from the date of receipt of this document.*

*This document replaces the versions, referred to as ‘Notification procedure according to Article 9 of the Low Voltage Directive (Safeguard Clause notification)’, of April-2005 and of December-2011.*

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## **Description of the practical implementation of article 9 of the LVD**

### **SECTION A: Notification - Article 9.1**

Any Member State notifying a measure within the framework of article 9 of the LVD will use the standard notification form.

The English version of this form can be found in Annex 2 of this document.

Member States will upload on LVD CIRCABC ADCO the notification. Member States should attach a translation in English of, at least, paragraph 6 of the notification form.

If the notification raises an issue of shortcoming in a standard, the Member State, uploading the notification, will also inform, by email, the Commission.

In case of discrepancy, only the notification in the original language will be valid. A sentence to this effect may be inserted into the translation.

## **SECTION B: Follow up - Article 9.2**

Member States should upload on LVD CIRCABC ADCO any objections and inform, accordingly, by email, both the Commission and the relevant (affected) authorities, within **60 days**, counting from the date that the requirements of Section A are completed.

The objection or a summary of the objection should be translated in English and uploaded on CIRCABC.

If a Member State should need a **longer period** to examine the notification, it should communicate it by email, within that deadline.

The Commission will try to promote an agreement between the concerned parties, if possible, within the following **30 days** from date the requirements of this Section are completed.

## **SECTION C: Disagreement - Articles 9.3 and 9.4**

If an agreement is not reached, the Commission shall obtain the **opinion of a notified body**, which shall state the extent to which the safety requirements of article 2 of the LVD have not been complied with, unless if the affected parties agree to refer the issue to the LVD ADCO.

If the issue is referred to a notified body, the Commission will communicate to all the parties that an agreement has not been reached, and the **expected date** on which the opinion of the notified body will be received.

As soon as the opinion of the notified body will be received, the Commission will transmit it to all the parties.

Member States may make their eventual **observations** known to the Commission, by email, within a period of **one month**. These observations should also be uploaded on LVD CIRCABC ADCO.

## **Annex 1: Article 9 of the LVD**

### *Article 9*

1. If, for safety reasons, a Member State prohibits the placing on the market of any electrical equipment or impedes its free movement, it shall immediately inform the other Member States concerned and the Commission, indicating the grounds for its decision and stating in particular :

- whether its non-conformity with article 2 is attributable to a shortcoming in the harmonized standards referred to in article 5, the provisions referred to in article 6 or the standards referred to in article 7;

- whether its non-conformity is attributable to faulty application of such standards or publications or to failure to comply with good engineering practice as referred to in article 2.

2. If other Member States raise objections to the decision referred to in paragraph 1, the Commission shall immediately consult the Member States concerned.

3. If an agreement has not been reached within three months from the date of notification as laid down in paragraph 1, the Commission shall obtain the opinion of one of the bodies notified in accordance with the procedure laid down in article 11 having its registered office outside the territory of the Member States concerned and which has not been involved in the procedure provided for in article 8. The opinion shall state the extent to which the provisions of article 2 have not been complied with.

4. The Commission shall communicate the opinion of this body to all the Member States which may, within a period of one month, make their observations known to the Commission. The Commission shall at the same time note any observations by the parties concerned on the abovementioned opinion.

5. Having taken note of these observations the Commission shall, if necessary, formulate the appropriate recommendations or opinions.

## LOW VOLTAGE DIRECTIVE 2006/95/EC

SAFEGUARD NOTIFICATION UNDER ARTICLE 9<sup>1</sup>

INFORMAL EXCHANGE OF INFORMATION\*

### 1. Name of the notifying authority

|   |  |
|---|--|
| a. Member State / other   |  |
| b. Full name and address, telephone and fax numbers, e-mail of the department and of the competent official supplying the information |  |
| c. Notification no  |  |
| d. Date   |  |

### 2. Identification of the equipment

|  |                    |
|--|--------------------|
| a. Product category <sup>2</sup>   | Kitchen appliances |
| b. Custom code   |                    |
| c. Product name and description  |                    |
| d. Brand name  |                    |
| e. Type  |                    |
| f. Electrical specifications (voltage, wattage, class of protection against electric shock, IP classification) |                    |
| g. Bar Code  |                    |
| h. Price in EUR (selling)  |                    |
| i. Name and address of the manufacturer  |                    |
| j. Name and address of the responsible for placing of the European market                                      |                    |
| k. Internet sales points   |                    |
| l. Made in / Country of origin   |                    |
| m. Exporter  |                    |
| n. Name and address of the first entry point into the national market, (if possible)                           |                    |
| o. Other countries in which the equipment is placed on the market  |                    |

<sup>1</sup> Please check the appropriate box [see 3a]

<sup>2</sup> Please check the relation in the document "ELECTRICAL SAFETY categories and sub-categories"

### 3. Proof of conformity

|  |   |
|--|---|
| a. CE marking  | <input type="checkbox"/> <i>yes</i><br><input type="checkbox"/> <i>no</i>   |
| b. Other directive(s) covered by CE marking  | <input type="checkbox"/> <i>yes which one(s)?:</i><br><input type="checkbox"/> <i>no</i>  |
| c. Other markings / Certificate Marking  | <input type="checkbox"/> <i>GS; <input type="checkbox"/> IMQ; <input type="checkbox"/> VDE; <input type="checkbox"/> ÖVE; <input type="checkbox"/> UL; <input type="checkbox"/> ULc</i><br><input type="checkbox"/> <i>KEMA; <input type="checkbox"/> KEMA-KEUR; <input type="checkbox"/> CEBEC; <input type="checkbox"/> ITS;</i><br><input type="checkbox"/> <i>ETL; <input type="checkbox"/> ETS <input type="checkbox"/> S; <input type="checkbox"/> FI; <input type="checkbox"/> N; <input type="checkbox"/> D; <input type="checkbox"/> SLG;</i><br><input type="checkbox"/> <i>TÜV Product Service; <input type="checkbox"/> TÜV Rheinland</i><br><input type="checkbox"/> <i>UR;</i><br>other |
| d. Declaration of conformity issued by a manufacturer or authorised representative following the application of <u>harmonised standards</u>    | <input type="checkbox"/> <i>available to the market surveillance authority</i><br><input type="checkbox"/> <i>acceptable</i><br><input type="checkbox"/> <i>not acceptable</i><br><input type="checkbox"/> <i>not available to the market surveillance authority</i><br><input type="checkbox"/> <i>not requested</i>   |
| e. Technical documentation   | <input type="checkbox"/> <i>available to the market surveillance authority</i><br><input type="checkbox"/> <i>acceptable</i><br><input type="checkbox"/> <i>not acceptable</i><br><input type="checkbox"/> <i>not available to the market surveillance authority</i><br><input type="checkbox"/> <i>not requested</i>   |
| f. Declaration of conformity issued by a manufacturer or authorised representative on the basis of a report drawn up by a <u>notified body</u> | <input type="checkbox"/> <i>available to the market surveillance authority</i><br><input type="checkbox"/> <i>acceptable</i><br><input type="checkbox"/> <i>not acceptable</i><br><input type="checkbox"/> <i>not available to the market surveillance authority</i><br><input type="checkbox"/> <i>not requested</i><br><i>Name of notified body:</i><br><i>Reference of certificate:</i><br><i>Reference of technical report:</i>   |

#### 4. Details of the measures taken

|   | Manufacturer   | Importer into the EEA            | Retailer, ...            |
|---|--|----------------------------------|--------------------------|
| a. Type of measure:   |  |                                  |                          |
| Removal from circulation  | <input type="checkbox"/>   | <input type="checkbox"/>         | <input type="checkbox"/> |
| Prohibition of the placing of the equipment on the market   | <input type="checkbox"/>   | <input type="checkbox"/>         | <input type="checkbox"/> |
| General measures making the placing of the equipment on the market subject to specific conditions | <input type="checkbox"/>   | <input type="checkbox"/>         | <input type="checkbox"/> |
| Other (please describe)   | <input type="checkbox"/>   | <input type="checkbox"/>         | <input type="checkbox"/> |
| b. References to measures:  |  |                                  |                          |
|   | Date:  |                                  |                          |
|   | Reference:   |                                  |                          |
|   | Method of notification:  |                                  |                          |
| c. Brief summary:   |  |                                  |                          |
| d. Has the manufacturer, authorised representative or importer been informed?                     | <input type="checkbox"/> <i>yes</i>                                    | Method of notification:<br>Date: |                          |
|   | <input type="checkbox"/> <i>no</i>                                     |                                  |                          |
| e. Has the Authority in the country of the manufacturer been informed?                            | <input type="checkbox"/> <i>yes</i>                                    | Method of notification:<br>Date: |                          |
|   | <input type="checkbox"/> <i>no</i>                                     |                                  |                          |
| f. Is the measure firm, or can it be the subject of an appeal?                                    | <input type="checkbox"/> <i>firm</i>                                   |                                  |                          |
|   | <input type="checkbox"/> <i>the possibility for an appeal exists</i>   |                                  |                          |
|   | <input type="checkbox"/> <i>subject of an appeal</i> (Please describe) |                                  |                          |

#### 5. Reasons for the measures taken

|  |                               |
|--|-------------------------------|
| a. <input type="checkbox"/> Non-conformity with Article 2 of the low Voltage Directive resulting from a shortcoming in the applicable standard(s)                          | <i>Standard(s) reference:</i> |
| b. <input type="checkbox"/> Non-conformity with Article 2 of the Low Voltage Directive resulting from a faulty application of the applicable standard(s)                   | <i>Standard(s) reference:</i> |
| c. <input type="checkbox"/> Where no standard applied, non compliance with the rules of good engineering practice as referred to in Article 2 of the Low Voltage Directive |                               |



## 6. Brief description of faults, nature of hazards and/or shortcomings in standards observed<sup>3</sup>

|  |
|--|
|  |
|--|

## 7. Additional information

| Circa Server             | Paper annexed            |                                   |                |
|--------------------------|--------------------------|-----------------------------------|----------------|
| <input type="checkbox"/> | <input type="checkbox"/> | copy of test reports              | <i>page(s)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | photographs                       | <i>page(s)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | copy of declaration of conformity | <i>page(s)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | distribution chain                | <i>page(s)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | others                            | <i>page(s)</i> |

Date:

signature

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<sup>3</sup> Describe, where appropriate, the variance to the relevant standards

## PRODUCT CATEGORIES EXPLANATION

### Kitchen appliances:

|                             |                     |                       |
|-----------------------------|---------------------|-----------------------|
| Can opener/knife sharpener  | Catering equipment  | Chokolate melter      |
| Coffee maker                | Coffee mill         | Cool and warm box     |
| Deep fat fryer/Fondue       | Dishwasher          | Egg cooker            |
| Electric pizza pan          | Food processor      | Grill and coffeemaker |
| Ice cream maker/candy floss | Juice extractor     | Kettle                |
| Mixer/Blender               | Oven/Microwave oven | Pop corn machine      |
| Portable cooking range      | Pressure cooker     | Range hood            |
| Refrigerator                | Rice cooker         | Samovar               |
| Toaster/Grill               | Waffle iron         | Warming plate         |
| Water heater                |                     |                       |

### Appliances for personal care:

|                           |                    |                                       |
|---------------------------|--------------------|---------------------------------------|
| Bed warmer                | Body Building Belt | Foot spa                              |
| Hair clipper              | Hair dryer         | Hair straightening iron/Curling tongs |
| Heating blankets and pads | Massage apparatus  | Shaver                                |
| Sun bed                   | Wax applicator     | Whirlpool                             |

### Cleaning appliances:

|                    |                          |                |
|--------------------|--------------------------|----------------|
| Clothes drier      | High pressure cleaner    | Insect killer  |
| Irons              | Shoe polishing machine   | Steam cleaner  |
| Ultrasonic cleaner | Ultraviolet pond cleaner | Vacuum cleaner |
| Washing machine    |                          |                |

### TV, radio and similar:

|                          |                    |                           |
|--------------------------|--------------------|---------------------------|
| Antenna amplifier        | Cordless phone     | DVD                       |
| Equalizer                | Home cinema        | Radio & cassette recorder |
| Radio & CD player        | Satellite receiver | Surveillance systems      |
| Transformer for TV games | TV-set             |                           |

### Computers and similar:

|                              |         |                     |
|------------------------------|---------|---------------------|
| Computer accessories         | Monitor | Multimedia speakers |
| Personal computer            | Printer | Router/switch       |
| Uninterruptible power supply |         |                     |

### Music and entertainment:

|                        |                  |                         |
|------------------------|------------------|-------------------------|
| Ceramic incense Burner | Electrical toy   | Equalizer/mixer         |
| Fog machine            | Joke items       | Low frequency amplifier |
| MP3 player             | Projector screen | Table fountain          |

**Luminaires:**

|                               |                           |                               |
|-------------------------------|---------------------------|-------------------------------|
| Aquarium and table lamp       | Blacklight                | Ceiling luminaire             |
| Child appealing luminaires    | Clip-mounted luminaire    | Construction lamps            |
| Decorative lamps              | Disco lights              | Electric candlestick          |
| Electronic flasher            | Emergency luminaire       | fixed fluorescent luminaire   |
| Flood light                   | Floor standing Luminaire  | Furniture luminaire           |
| Halogen spot                  | Hand lamp                 | Illuminated waterfall picture |
| Light bulbs                   | Lighting chains           | Light strips                  |
| Luminaires for stage lighting | Luminous                  | Moroccan lamp                 |
| Night light                   | Outdoor luminaire         | Recessed luminaire            |
| Rope light                    | Semi luminaires           | Special luminaires            |
| Table lamp with clock         | Table standing luminaires | Torch                         |
| Touch lamp                    | Wall mounted luminaires   |                               |

**Material for electrical installations:**

|                                  |                         |                          |
|----------------------------------|-------------------------|--------------------------|
| Assemblies for construction site | Cable                   | Door bell                |
| Electronic control units         | Installation material   | Lamp dimmer              |
| Lamp holder                      | Plug and socket outlets | RCCB                     |
| Surge protector                  | Switch                  | Transformer for build-in |

**Tools and similar:**

|                       |   |                               |
|-----------------------|---|-------------------------------|
| Air compressor        | Angle grinder                               | Applicator                    |
| Arc welding equipment | Autoclave                                   | Automatic door opener         |
| Bench grinder machine | Cable reel                                  | Combined machine/Circular saw |
| Cord set              | Cord extension lead                         | DC regulated power supply     |
| Drilling machine      | Engine starter                              | Hand-held sander              |
| Heat glue gun         | Heat gun                                    | High pressure cleaner         |
| Hole making tool      | Infrared drying machine/bookbinding machine | Mitre saw                     |
| Motor generator       | Multimeter                                  | Paper shredder                |
| Phase tester          | Power supply for motor                      | Power tool router             |
| Pump                  | Safety isolating transformer                | Sawdust collection machine    |
| Sewing machine        | Soldering iron                              | Surge protector               |
| Thermostat            | Tile cutting machine                        | Tool for live working         |
| Voltage tester        | Wallpaper stripper                          | Welding inverter              |
| Winch                 |   |                               |

**Converters, adapters and battery chargers:**

|                      |                              |          |
|----------------------|------------------------------|----------|
| Accu battery charger | AC-DC converter              | Adapter  |
| Battery charger      | Battery charger for vehicles | Inverter |
| Step down converter  | Voltage converter 230V/110V  |          |

**Apparatus for climatic control:**

|                      |                            |                      |
|----------------------|----------------------------|----------------------|
| Air conditioner      | Aquarium immersion heater  | Dehumidifier         |
| Fan                  | Fan heater                 | Floor heating system |
| Humidifier           | Instantaneous water heater | Room heater          |
| Storage water heater | Thermostat                 |                      |

**Outdoor apparatus:**

|                  |                |              |
|------------------|----------------|--------------|
| Electric scooter | Electric swing | Garden tools |
| Motor for grill  | Pond pump      |              |

**Agricultural appliances:**

|                          |                             |                               |
|--------------------------|-----------------------------|-------------------------------|
| Electric fence energizer | Heating for food-containers | Heating appliance for animals |
| Incubator                | Milk separator              |                               |

### **Annex 3: Uploading LVD-safeguard clause notifications to the CIRCABC server**

Format of LVD-safeguard clause notifications to be uploaded to the CIRCABC sever as agreed by the LVD ADCO working group:

- Working language: English
- One compressed folder for each notification (e.g. WinZip) named:
  - “SE-2004-01 Luminaire”  
At voluntary measures
  - “SE-INF-2004-02 Multimeter”<sup>1</sup>

#### Content of the folder

- Notification form (e.g. pdf-format) named:
  - SE-2004-01 Notification  
At voluntary measures
  - SE-INF-2004-02 Information
- Pictures in separate files (e.g. jpeg-format) named:
  - SE-2004-01 Package
  - SE-2004-01 Product
  - SE-2004-01 Marking plate

At voluntary measures

- SE-INF-2004-02 Package,
- SE-INF-2004-02 Product and
- SE-INF-2004-02 Marking plate

- Other relevant documents (e.g. pdf-format) named:
  - SE-2004-01 Test report
  - SE-2004-01 Certificate
  - etc.

At voluntary measures

- SE-INF-2004-02 Test report
- SE-INF-2004-02 Certificate
- etc.

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<sup>1</sup> SE-INF-2004-02 Multimeter

SE = Abbreviation of Sweden (See countries abbreviation on next page)  
INF = Short form of “Information” and should only be used when it is an informal information of an unsafe product, which is not CE-marked.

2004 = Year of notification

02 = Member States own serial number

Multimeter = Type of equipment

## **COUNTRIES ABBREVIATION**

AUSTRIA **AT**  
BELGIUM **BE**  
BULGARIA **BG**  
SWITZERLAND **CH**  
CROATIA **CR**  
CYPRUS **CY**  
CZECH REPUBLIC **CZ**  
GERMANY **DE**  
DENMARK **DK**  
ESTONIA **EE**  
SPAIN **ES**  
FINLAND **FI**  
FRANCE **FR**  
UNITED KINGDOM **UK**  
GREECE **GR**  
HUNGARY **HU**  
IRELAND **IE**  
ICELAND **IS**  
ITALY **IT**  
LIECHTENSTEIN **LI**  
LITHUANIA **LT**  
LUXEMBOURG **LU**  
LATVIA **LV**  
MALTA **MT**  
NETHERLANDS **NL**  
NORWAY **NO**  
POLAND **PL**  
PORTUGAL **PT**  
ROMANIA **RO**  
SWEDEN **SE**  
SLOVENIA **SI**  
SLOVAKIA **SK**