

## The New EU Directive and How it May Affect You

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**Background:** The Directive 89/336/EEC will be repealed as of 20 July 2007 by the new Directive 2004/108/EC of the European Parliament and of the Council, of 15 December 2004, on the approximation of the Laws of Member States relating to electromagnetic compatibility, published in the OJEU on 31 December 2004 (L 390/24).

The new EMC Directive has been published in the Official Journal of the European Union, L 390/24, 31 December 2004, and will repeal Directive 89/336/EEC as of 20 July 2007. It will greatly simplify regulatory procedures and reduce costs for manufacturers, while increasing information and documentation on products for inspection authorities. The revised directive abolishes two cumbersome conformity assessment procedures for producers, which required the mandatory involvement of an independent inspection and verification body, thus reducing costs. Manufacturers will be solely responsible for establishing the conformity of their products and for the “CE” marking. The EMC directive governs the electromagnetic emissions of electrical and electronic equipment and their immunity to interference. It ensures for instance that a microwave oven does not interfere with radio reception, or that a radio alarm clock must not come on if a mobile phone is used nearby. The directive will come into force in the Member States within the next three years.

Apart from the simplified conformity procedures, the main elements of the revised directive are:

- **Stricter requirements concerning information and documentation.** The new directive requires manufacturers or their agents to provide inspection authorities with additional means of control, such as clear identification of a product (type, serial number, etc) and indication of the name and address of the manufacturer or his agent and if necessary, of the importer established in the territory of

the European Union. This improved product traceability will make it easier for the authorities to monitor the market. By eliminating products for which it is difficult at the moment to identify the origin, competition will be on a fairer basis

- **Special regime for fixed installations.** It is harder to check the conformity of installations of this type (changes over time, alterations, difficulties in implementation). However, it is essential that they comply with the directive’s protection requirements in order to limit potential interference and to create a common electromagnetic environment in the European Union. For instance, this regime will provide a harmonized regulatory framework for large localized systems, like a power plant, but as well for distributed systems like telecommunications or power distribution networks, which are often trans-European.

- **Compliance with new-approach concepts.** Ten years of applying the Directive have demonstrated the effectiveness of the new-approach concepts in the field of electromagnetic compatibility. These principles restrict regulatory harmonization to essential public-interest requirements and allow manufacturers to ensure the conformity of their products by applying “harmonized” standards. These standards, drawn up by European standardization bodies, are regularly updated and make it possible to ensure a high degree of protection without amending the regulatory framework. These principles have naturally been incorporated in this Directive.

For more information, please visit the European Commission website at [http://ec.europa.eu/enterprise/electr\\_equipment/emc/directiv/dir2004\\_108.htm](http://ec.europa.eu/enterprise/electr_equipment/emc/directiv/dir2004_108.htm) or contact an Elliott Laboratories Sales Representative at [info@elliottlabs.com](mailto:info@elliottlabs.com).

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