

ProductSafe

Safety Guidelines and Procedures for Entrepreneurs

Recreational Craft

APPLICATION

The Recreational Craft Directive (95/25/EC) applies to 'craft of any type intended for sports and leisure purposes of hull lengths from 2,5m to 24m and certain listed components'.



EXAMPLES OF RECREATIONAL CRAFT PRODUCTS

THE DIRECTIVE APPLIES

1. With regard to **design and construction**;
 - Recreational craft and partly complete boats.
 - Personal water craft
 - Component referred to in Annex II when placed on the Community market as separate items.
2. With regard to **exhaust emission**
 - Propulsion engines which for installations into recreational craft and personal water craft
 - Propulsion engines installed on or in these craft that are subject to a "major engine modification".
3. With regard to **noise emissions**
 - Recreational craft with stern drive engines without integral exhausts or inboard propulsion engine installations
 - Recreational craft with stern drive engines without integral exhaust or with inboard propulsion installations which are subject to a major craft conversion and subsequently placed on the market within five years following conversion.
 - Personal water craft
 - Outboard engines and stern drive engines with integral exhausts intended for installation on recreational craft.

LATVIAN LAW

The safety of simple pressure vessels is controlled in Latvia by the following legislation:

- Consumer Rights Protection Law, 1999
- Law on the Safety of Goods and Services, 2004
- Cabinet Regulation Cabinet Regulation No. 647 - adopted 30 August 2005 - Regulations regarding the Construction, Conformity Assessment and Placing on the Market of Recreational Craft.

EU DIRECTIVE

The Recreational Craft Directive (95/25/EC) is a New Approach Directive with;

- Essential requirements and transposed Harmonised Standards which give a presumption of conformity;
- Conformity assessment using the Modules described in the Directive;
- Producing and maintaining technical documentation;
- Issuing of a Declaration of Conformity;
- The Declaration of Conformity accompanies the product;
- CE marking;

The recent amendment 2003/44/EC has extended the scope of the original directive to include personal water craft and propulsion engines. This amendment also introduced requirements concerning exhaust emissions and controls on noise emissions.

OVERVIEW OF THE DIRECTIVE

When first placed on the EEA market, products including imports, must:

- meet the essential safety requirements;
- bear the CE marking and other specified inscriptions on a builders plate;
- be accompanied by an owner's manual;
- be accompanied by a Declaration of Conformity
- be safe.

Failure to comply with the requirements of the directive:

- non-compliant products cannot legally be placed on the market anywhere in the EU;
- non-compliant products are liable to be removed from the market;
- the placing of non-compliant products on the market could result in prosecution and penalties on conviction of a fine or, in some cases, of imprisonment, or of both.
- Any Market Surveillance Authorities may remove non-compliant product from the market upon discovery
- the same rules apply everywhere in the EU

It the responsibility of the person, natural or legal, who is responsible for placing the product on the market to ensure the products are fully compliant when first placed on the market.

The Directive does not apply to exports to countries outside the EEA.

DEFINITIONS

Recreational craft – any craft of any type intended for sports and leisure purposes of hull length 2.5 m to 24 m, regardless of the means of propulsion. It includes boats used for charter or training.

Personal water craft – a vessel less than 4 m which uses an internal combustion engine having a water pump as its primary source of propulsion operated by a person or persons sitting standing or kneeling on rather than within the confines of the hull.

Propulsion engine – any spark or compression ignition, internal combustion engine used for propulsion purposes, including two-stroke and 4-stroke inboard, and stern drive with and without integral exhaust and outboard engines.

EXCLUSIONS

The following are not products for the purposes of the directive:

- (a) with regard to products referred to design and construction –
 - (i) craft intended solely for racing, including rowing racing boats and training rowing boats, labelled as such by the manufacturer;
 - (ii) canoes and kayaks, gondolas and pedalos;
 - (iii) sailing surfboards;
 - (iv) surfboards, including powered surfboards;
 - (v) original historical craft and individual replicas thereof designed before 1950, built predominantly with the original materials and labelled as such by the manufacturer;
 - (vi) experimental craft, provided that they are not subsequently placed on the EU market;
 - (vii) craft built for own use, provided that they are not subsequently placed on the EU market during a period of 5 years;
 - (viii) craft specifically intended to be crewed and to carry passengers for commercial purposes (without prejudice to regulation 3(2)), in particular those defined in Council Directive 82/714/EEC of 4th October 1982 laying down technical requirements for inland waterway vessels, regardless of the number of passengers;
 - (ix) submersibles;
 - (x) air cushion vehicles;
 - (xi) hydrofoils; and
 - (xii) external combustion steam powered craft, fuelled by coal, coke, wood, oil or gas;
- (b) with regard to exhaust emissions –
 - (i) propulsion engines installed or specifically intended for installation on the following:
 - (aa) craft intended solely for racing and labelled as such by the manufacturer,
 - (bb) experimental craft, provided that they are not subsequently placed on the Community market,
 - (cc) craft specifically intended to be crewed and to carry passengers for commercial purposes (without prejudice to regulation 3(2)), in particular those defined in Directive 82/714/EEC, regardless of the number of passengers,
 - (dd) submersibles,
 - (ee) air cushion vehicles, or
 - (ff) hydrofoils;
 - (ii) original and individual replicas of historical propulsion engines, which are based on a pre-1950 design, not produced in series and fitted on historic craft or craft built for own use.;
 - (iii) propulsion engines built for own use provided that they are not subsequently placed on the Community market during a period of five years; and

- (c) with regard to noise emissions, products referred (b) above
- (i) all craft referred to in paragraph (b); and
 - (ii) craft built for own use, provided that they are not subsequently placed on the EU market during a period of five years.

OVERVIEW OF REQUIREMENTS

The requirements in respect of any product are that;

1. The product meets the essential requirements
2. Appropriate conformity assessment is carried out
3. Construct and maintain a Technical File
4. Issue a Declaration of Conformity
5. Apply the CE mark.

These duties should be carried out by the manufacturer or his Authorised Representative. If neither is established within the EEA, the person responsible for placing the product on the market assumes some of those responsibilities. For a complete craft product where neither the manufacturer nor his authorised representative are involved, a post construction assessment is the only route to compliance.

There is an overall requirement that products do not endanger the safety and health of persons, property or the environment.

CATEGORIES OF VESSELS

Design Category	Wind force (Beaufort scale)	Significant wave height (metres)
A – 'Ocean'	exceeding 8	exceeding 4
B - 'Offshore'	up to, and including, 8	up to, and including, 4
C - 'Inshore'	up to, and including, 6	up to, and including, 2
D - 'Sheltered waters'	up to, and including, 4	up to, and including, 0.3

CRITERIA FOR CATEGORISATION

A. OCEAN: Designed for extended voyages where conditions may exceed wind force 8 (Beaufort scale) and significant wave heights of 4 m and above but excluding abnormal conditions, and vessels largely self-sufficient.

B. OFFSHORE: Designed for offshore voyages where conditions up to, and including, wind force 8 and significant wave heights up to, and including, 4 m may be experienced.

C. INSHORE: Designed for voyages in coastal waters, large bays, estuaries, lakes and rivers where conditions up to, and including, wind force 6 and significant wave heights up to, and including, 2 m may be experienced.

D. SHELTERED WATERS: Designed for voyages on sheltered coastal waters, small bays, small lakes, rivers and canals when conditions up to, and including, wind force 4 and significant wave heights up to, and including, 0.3 m may be experienced, with occasional waves of 0.5 m maximum height, for example from passing vessels.

Note: Craft in each Category must be designed and constructed to withstand these parameters in respect of stability, buoyancy, and other relevant essential requirements listed in Annex I, and to have good handling characteristics

OVERVIEW OF SAFETY REQUIREMENTS

The safety requirements for a product are that:

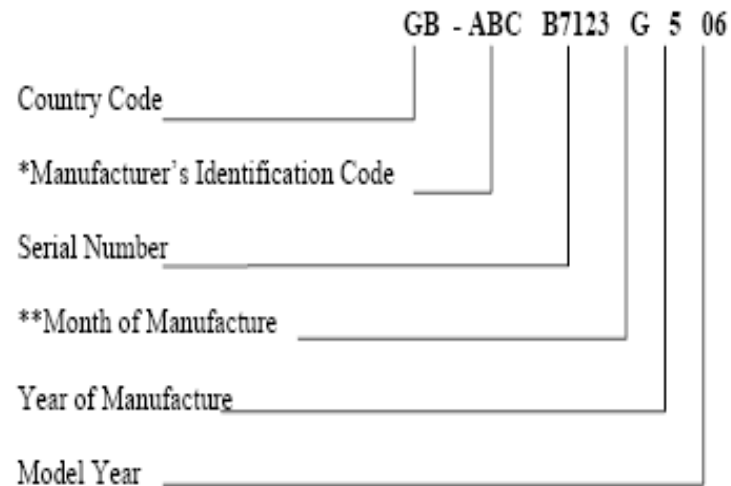
- It meets the appropriate essential safety requirements;
- A technical file is available
- The CE marking and the other specified inscriptions have been properly affixed;
- An owner's manual, in the language of the country where marketed, accompanies the product
- A declaration of conformity is attached to the owner's manual.
- If appropriate, a Post Construction Assessment procedure has been carried out.
- It is in fact safe.

DESIGN AND CONSTRUCTION

1. The design and construction requirements for recreational craft and partly complete craft and personal water craft are specified in the essential requirements Annex 1A. The application of Harmonised standards determines which design category the craft meets.
2. Personal water craft
 - a. design and construction Annex 1A.
 - b. Exhaust emissions Annex 1B and
 - c. Noise emissions Annex 1C.
3. Propulsion engines- EC Type approval is required for all propulsion engines either under RCD or other specified directives - non road going machinery 97/68/EC or compression ignition engines directive 88/77/EEC.

CRAFT IDENTIFICATION NUMBER (CIN)

Make up of CIN


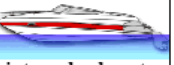


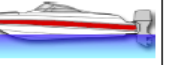



CHECKLIST TO DETERMINE WHETHER A PRODUCT IS SUBJECT TO THE RECREATIONAL CRAFT DIRECTIVE

Product description:												
Manufacturer/brand name:												
Application of directive – (e.g. craft intended for sports and leisure purposes):					Yes		No					
					Comments:							
New/used/reconditioned:					New		Used		Reconditioned			
Comments on general appearance/ condition:												
CE Marking/instructions/warnings:												
CE mark:		Yes		No		Visible, legible and indelible:			Yes		No	
Craft Identification Number (CIN)					Yes		No					
Builders plate					Yes		No					
Owner's Manual					Yes		No					
Declaration of Conformity					Yes		No					
					Yes		No					
type and serial/ batch number of the vessel:					Yes		No					
If there is a data plate, is it so designed that it cannot be re-used and does it include a vacant space to enable other information to be provided?								Yes		No		
Availability of documentation:												
EC Type Examination Certificate:					Yes		No					
Name and Address of Notified Body:					Yes		No					
Date of first placing on market:					Yes		No					
EC Declaration of conformity					Yes		No					
Integrity of documentation					Yes		No					
Completeness of documentation:					Yes		No					
Compliance with other Directives:												
Other Applicable Directive					Apparent compliance							
Gas Appliances					Yes		No					
EMC					Yes		No					
Low Voltage Electrical Equipment					Yes		No					
Other?					Yes		No					
Comments on suspected non-compliances												

Directive 2003/44/EC amending Directive 94/25/EC relating to Recreational Craft:

Compliance matrix for noise and exhaust emission requirements

NOISE				
craft/engine combination	Craft with inboard engines 	Craft with stern drive engines  integral exhaust: without  with 	Craft with outboard engines 	Personal Watercraft 
Compliance (responsible)	craft with engine (boat manufacturer)	engine (engine manufacturer)		PWC (PWC manufacturer)
Assessment method & modules	pass-by test with craft/engine combination (EN ISO 14509) Aa, G or H	pass-by test with standard craft (EN ISO 14509) Aa, G or H		PWC pass-by test (EN ISO 14509) Aa, G or H
Alternative assessment & modules	1. Froude & Power/displacement 2. Certified Reference boat A, Aa, G or H	-		-
EXHAUST				
Compliance (responsible)	engine (engine manufacturer)			
Assessment method & modules	exhaust emissions measurement (EN ISO 8178-1:1996) B+C, B+D, B+E, B+F, G or H			
Alternative compliance methods	Type approval according to: 1. Directive 97/68/EC (non-road mobile machinery), Annex I, section 4.2.3 (stage II) 2. Directive 88/77/EC (diesel, LPG and natural gas engines used in vehicles)			
APPLICATION DATES				
01/01/2006	compression ignition (diesel) and 4-stroke spark ignition (petrol) engines			
01/01/2007	2-stroke spark ignition (petrol) engines			
CE MARKING & DECLARATION OF CONFORMITY				
CE-marking	- on craft (construction & noise) - on engine (exhaust compliance)	- on craft (for construction) - on engine (for noise & exhaust)	on PWC (construction, noise & exhaust)	
DoC	- for craft (construction & noise) - for engine (exhaust compliance)	- for craft (construction) - for engine (noise & exhaust)	for PWC (construction, noise & exhaust)	

EXAMPLES OF RECENT RAPEX NOTIFICATIONS OF PRODUCTS THAT FAIL TO MEET THE ESSENTIAL SAFETY REQUIREMENTS OF THE RECREATIONAL CRAFT DIRECTIVE

PERSONAL WATER CRAFT



The product poses a risk of injuries because under certain circumstances, the throttle lever mechanism may come into contact with the handlebar padding, resulting in a failure of the throttle to return to idle upon release of the operator's hand.

This can cause the risk of fall and injuries for the rider.

This product poses a serious risk of fire because the fuel hose clamp may not have been properly connected to the fuel injection system fuel rail. This can result in the fuel leakage from the hose to fuel rail or for the hose to separate from the mounting pipe.

This can result in the risk of fire or explosion.

MARINE ENGINE



The product poses a risk of fire because the carburettor casting does not meet material specification which may cause corrosion and fuel leakage.

A fuel leak may cause a fire if an ignition source is present.

OUTBOARD MOTOR

In affected outboards, there is a possibility of breaking of the grip's throttle shaft on the steering handle.

If this happens, an accident is possible due to possible loss of steering control.

INFLATABLE CRAFT



The product poses a risk of drowning because, even if the boat is inflated correctly, due to a material defect the both of the side air chambers can be ripped and break at the same time causing a "boom"-sound.

The raft is being sold together with a wooden board for motor attachment although it is classified as a "type 1" raft which can only be operated manually, with oars (EN ISO 6185-1). Many customers may install an electric outboard or a petrol engine in their raft as the instructions on motor assembly are not very clear, causing an explosion hazard.

One accident reported: a raft exploded while in water overnight. The raft has two separate air chambers on the side tubes, which both had deflated due to a material defect.

INFLATABLE CRAFT



The product poses a serious risk of drowning because the life raft may not inflate when used, owing to a fault:

⚡ in the two valves on each of the two compartments, on the Y-shaped plastic inflating connection.

It seemed that the valve fault originated from assembly in a factory using lubricants which allowed tightening beyond the force recommended by the supplier. When over tightened, the overpressure valves can crack, or even break, after a period of time which is difficult to estimate, but which may apparently be shortened as a function of storage temperature. Concerning the Y-connection, a Y-shaped plastic inflation connection is fitted to a small number of life rafts manufactured. The presence of traces of lubricant detected by analysis suggests that the cause of the faults on the Y-connection is the same as in the case of the valves.

MOTOR CRAFT



Due to the insufficient attachment of the steering console to the floor panel, the steering can come lose with risk of the helmsman falling overboard and loss of manoeuvrability.

One fatal accident reported.

FUEL LEVEL SENSOR IN A FIXED FUEL TANK

The product concerned is a plastic fuel tank with a sensor for fuel level and it is intended for use in recreational craft.

The product poses a serious risk of explosion, fire and skin irritation because the fuel level sensor's gasket loses its properties and becomes fragile when in prolonged contact with petrol. This may lead to leakage of fuel from the tank with consequent leakage of petrol into the boat.

This can present a danger of explosion, fire and skin irritation.

OUTBOARD MOTOR

The gear lever may break at the weld area, whereupon users may have difficulty changing or selecting gear and may be unable to proceed. If this happens when the motor is running and in gear, it is possible to reduce speed, stop the engine and manoeuvre, but collisions may occur because the craft is drifting.

There have been six breakdowns of this kind reported worldwide.

MODEL EC DECLARATION OF CONFORMITY

The manufacturer or his authorised representative established in the
Community.....
declares that the new PPE described hereafter

.....
.....
is in conformity with the provisions of Council Directive 89/686/EEC and, where
such is the case, with the national standard transposing harmonized standard
No..... (for the PPE referred to in Article 8(3))
is identical to the PPE which is the subject of EC certificate of conformity
No.....issued by.....

.....
.....
is subject to the procedure set out in Article 11 point A or point B(4) of Directive
89/686/EEC under the supervision of the approved body (3).....

.....
Done
at,on
..... Signature

Note:

1. The business name must be name and full address of manufacturer
2. Description of PPE (make, type, serial number)
3. Name and address of the Notified Body
4. Name and position of person empowered to sign on behalf of the manufacturer or his authorised representative

SOURCES OF FURTHER INFORMATION

Overview of the Recreational Craft Directive

http://ec.europa.eu/enterprise/maritime/maritime_regulatory/rc_introduction.htm

Consolidated Recreational Craft Directive

<http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/consleg/1994/L/01994L0025-20031120-en.pdf>

Application guide (CC guide)

http://ec.europa.eu/enterprise/maritime/maritime_regulatory/doc/cc_guide_cons20feb2008.pdf

Harmonised Standards

<http://ec.europa.eu/enterprise/newapproach/standardization/harmstds/reflist/reccraft.html>

The CE Marking Directive (93/68/EEC)

<http://www.ce-marking.org/directive-9368eec-ce-marking.html>

RAPEX

http://ec.europa.eu/consumers/safety/rapex/index_en.htm

New Approach guidance (Blue Book)

<http://ec.europa.eu/enterprise/newapproach/legislation/guide/index.htm>

The CE Marking Directive (93/68/EEC)

<http://www.ce-marking.org/directive-9368eec-ce-marking.html>

RAPEX

http://ec.europa.eu/consumers/safety/rapex/index_en.htm