



December 12, 2003

Pressure Equipment Directive 97/23/EC

Mid-West Instrument has reviewed the requirements of the Pressure Equipment Directive 97/23/EC and how this directive affects our products.

The Directive defines several categories for pressure equipment based on the hazard presented by the application. The hazard is determined by the type of the process fluid and the stored energy based on the pressure-volume product. There are categories I through IV and a separate category "below category I".

The products manufactured by Mid-West Instrument have very small internal volumes. The small internal volumes result in Mid-West Instrument products falling **below category I** for non-hazardous gases, hazardous liquids, and non-hazardous liquids. Mid-West Instrument products fall **below category I** for hazardous gases at or below pressures of 200 bar.

Products **below category I** must comply with Article 3, paragraph 3. Article 3, paragraph 3 states that products below category I *"must be designed and manufactured in accordance with the sound engineering practice of a Member State in order to ensure safe use. Pressure equipment and/or assemblies must be accompanied by adequate instructions for use and must bear markings to permit identification of the manufacturer or of his authorized representative established within the Community. Such equipment and/or assemblies **must not bear the CE marking** referred to in Article 15."*

It is our interpretation that this directive does not apply to products manufactured by Mid-West Instrument and we should not apply the CE mark to our products other than those products covered by the low voltage directive. Our *"sound engineering practice"* is supported by our quality system in accordance with CSA B51-03 Annex F third party certified by QMI.

Mid-West Instrument will address applications for hazardous gases at a pressures above 200 bar on a case by case basis.

I will gladly accept comments and feedback on this interpretation.

Sincerely,

Michael A. Lueck
Vice-President, Engineering & Quality Assurance