Subject: Defective EPIRBS

Dear Mr. Le Liboux,

First of all I would like to thank you for sending the Commission a copy of your letter of 27 November 2013 to GME, the manufacturer who issued an EPIRB precautionary Safety Alert on 4 November 2013, stating that, in the view of your authorities, the performance of a self-test as recommended in the above-mentioned Safety Alert is considered insufficient and that you will require that EPIRBS of the types concerned on board ships flying the French flag will have to be replaced.

The European Maritime Safety Agency (EMSA) has analysed the issue and has presented its findings to the Commission. From the observations provided by EMSA it seems that there are a number of issues yet to be resolved and these concur with your view that a self-test as a solution to address the problem seems insufficient. EMSA’s observations also contain some issues related to the Bureau Veritas (BV), who is the Notified Body concerned, which are:

1. BV carried out production audits in 2008 and 2009; does the documentation from those audits point to the problem mentioned in the Safety Alert?;

2. If the problem has been identified by BV, has the manufacturer after the above mentioned production audits taken corrective measures, in particular since the manufacturer stated that the problem only occurred until 2010?; and

3. Is BV aware how do the models produced from 12 March 2012 to the present perform in relation to the Type Approved model?

Based on the information at hand and on EMSA’s observations we have decided to initiate the procedure laid down in Article 13 of Directive 96/98/EC.
I would be therefore grateful if you could provide us with your observations on the above mentioned matter by the end of January 2014 at the latest. In order for the Commission services to be able to form a well-informed opinion, may I invite you to include all facts, information and opinions you deem relevant for the case along with supporting documentation.

Yours sincerely,

[Signature]

Christine Berg
Head of Unit