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Trade and Employment

Ireland's National Market Surveillance Programme 2020

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1. General market surveillance organisation and infrastructure

In Ireland responsibility for Community harmonisation legislation is dispersed across various Government Departments and State Agencies. There is no central body responsible for market surveillance and no single piece of overarching market surveillance legislation. Responsibility for Community harmonisation legislation is allocated to Government Departments according to competence. Market surveillance responsibilities are conferred on authorities through primary legislation in the case of chemicals and secondary legislation implementing Community harmonisation legislation for the other sectors. Please see the organigram in Section 1.1 below for details of legislative and market surveillance responsibility for Community harmonisation legislation considered to come within the scope of Regulation (EC) No. 765/2008.

Ireland has a limited manufacturing sector and therefore does not have many notified bodies. It is also not a significant point of first import for imported products, although this situation may change once the UK officially leaves the EU at the end of 2020. Market surveillance authorities (MSAs) undertake risk based and reactive market surveillance and participate in specific priority projects.

For the control of imported products from third countries Ireland's MSAs, working closely with Revenue's Customs Service, will fulfil obligations under Article 27-29.

The Department of Business, Enterprise and Innovation has coordinated Ireland's notifications under Regulation (EC) No. 765/2008.

1.1. Identification & responsibilities of national market surveillance authorities

The responsibilities of the various MSAs in Ireland are contained in the diagram below:

Government Departments – EU Legislation Responsibilities						
D/AF&M	D/CCA&E	D/H	D/HPC&LG	D/J&E	D/BEI	D/TT&S
Fertilisers Tractors	RED Energy Related Products, ROHS	Medical Devices Directive, Cosmetics Directive	Construction Products Directive	Civil Explosives Directive, Pyrotechnic Articles Directive	LVD, TSD, GPSD, PPE, GAD, GAR, EMC, MID, NAWI, ATEX, REACH, CLP, PED, TPED, Lifts Directive, Detergents, Machinery, Simple Pressure Vessels	Marine Equipment Directive, Recreational Craft Directive
Market Surveillance Authority – Product Enforcement Responsibilities						
D/AF&M	D/CCA&E	HPRA	BCA	D/J&E	D/BEI	D/TT&S
Fertilisers Tractors	Energy Related Products COMREG RED, EMC EPA ROHS	Medical Devices, Cosmetics	Construction Products	Civil Explosives, Pyrotechnic	CCPC LVD, TSD, GPSD, PPE (Non-Workplace), Gas Appliances (Consumer), Simple Pressure Vessels HSA ATEX, REACH, CLP, PPE (Workplace), Detergents, Lifts, Pressure Equipment, Transportable Pressure Equipment, Machinery, Gas Appliances (Commercial), NSAI MID, NAWI	Marine Equipment, Recreational Craft

KEY to Departments and Bodies		KEY to Product Legislation
D/AF&M = Department of Agriculture, Food and the Marine		
D/CCA&E = Department of Communications, Climate Action and the Environment	Comreg = Commission for Communications Regulation EPA = Environmental Protection Agency	RED = Radio Equipment Directive ROHS = Restriction of Hazard Substances Directive
D/H = Department of Health	HPRA = Health Products Regulatory Authority	
D/HPC&LG = Department of Housing, Planning, Community and Local Government	BCA = Building Control Authorities	
D/J&E = Department of Justice and Equality		
D/BEI = Department of Business, Enterprise and Innovation	CCPC = Competition and Consumer Protection Commission HSA = Health and Safety Authority NSAI = National Standards Authority of Ireland	ATEX = Environment with a Potentially Explosive Atmosphere Directive CLP = Classification, Labelling and Packaging Regulations EMC = Electromagnetic Compatibility Directive GAD = Gas Appliances Directive GAR = Gas Appliances Regulation GPSD = General Product Safety Directive LVD = Low Voltage Directive MID = Measuring Instruments Directive NAWI = Non-Automatic Weighing Instruments Directive PED = Pressure Equipment Directive PPE = Personal Protective Equipment Regulation REACH = Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation TPED = Transportable Pressure Equipment Directive TSD = Toy Safety Directive
D/TT&S = Department of Transport, Tourism and Sport		

1.2. Coordination & cooperation mechanisms between national market surveillance authorities

To fulfil the requirement of Article 18(1) the (then) Department of Jobs, Enterprise and Innovation established a national Market Surveillance Forum (MSF) in May 2009. Represented at the MSF are Government Departments responsible for Community harmonisation legislation, market surveillance authorities, Revenue's Customs Service, and the Irish National Accreditation Board (INAB). The establishment of the MSF has centralised the issue of market surveillance in Ireland and has been a significant and useful development. It has provided co-ordination of the individual, separate sectors within one platform and allowed for important debate and communication between authorities on common issues. The Department of Business, Enterprise and Innovation provides a secretariat role to the Forum and communicates guidance from the Expert Group on the Internal Market for Products (IMP-MSG).

Regarding EU co-ordination and co-operation – the various EU Commission ADCO and Expert working groups will continue to be a valuable platform. Ireland intends to continue to attend and contribute to these groups. The Competition and Consumer Protection Commission (CCPC) is a member of PROSAFE and will continue to play an active role in this group.

The CCPC and the Health and Safety Authority (HSA) cover, between them, the majority of consumer and industrial products. They have a dual market surveillance role for certain Regulations where professional goods migrate to the consumer, such as Personal Protective Equipment, Machinery and Gas Appliances. Informal co-operation and co-ordination mechanisms exist between the Agencies.

1.3. Cooperation between national market surveillance authorities and customs

Revenue's Customs Service is not designated with a market surveillance function because its competence does not extend to expertise in specific sectors of products. It is reliant on the market surveillance authorities and facilitates them through controlling imports based on specific information received. In this regard it has access to documentation relating to imports from third countries and information associated with customs declarations can be profiled in order to target products that are likely to present a risk. It is recognised that co-operation between the market surveillance authorities and Revenue's Customs Service is essential for carrying out appropriate checks on products at the point of import. Revenue's Customs Service circulates EU Product Safety Alerts to all market surveillance authorities in the State and encourages market surveillance authorities to sign data exchange agreements where more in-depth information is needed from the Customs Service.

1.4. Rapid information exchange system - RAPEX

The [Competition and Consumer Protection Commission](#) (CCPC) is the contact point for RAPEX in Ireland and circulates reports at a national level.

1.5. ICSMS information system

For the sectors covered by Irish MSAs please see this link: <https://webgate.ec.europa.eu/icsms/public/authoritySearch.jsp?locale=en>. The [Health and Safety Authority](#) is the contact point for ICSMS in Ireland.

1.6. General description of market surveillance activities and relevant procedures

Ireland has a limited manufacturing sector and therefore does not have many notified bodies. It is also not a significant point of first import for imported products. Market surveillance authorities undertake risk based and reactive market surveillance and participate in specific priority projects. Details of sectoral specific activities can be found in the next section.

1.7. General framework of cooperation with other Member States and non-member states

N/A

1.8. Evaluation of Market surveillance actions and reporting

N/A

1.9. Horizontal activities planned for the relevant period

N/A

2. Market surveillance in specific sectors

2.1. Sector 26 Marine Equipment

2.1.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

The Marine Survey Office (MSO) is the market surveillance authority and the competent authority in the State. The MSO forms part of the Irish Maritime Administration, Department of Transport, Tourism and Sport.

Contact for the MSO: mso@dtas.gov.ie, + 353 1 678 3400

MSO web address: www.dttas.gov.ie/maritime

Point of Contact: Ben Duncan, BenDuncan@dtas.gov.ie, +353 1 678 3475

Resources: All activities have to be performed within the existing departmental budgets and headcount, which are subject to national economic restrictions on Government spending. One surveyor has been assigned part time to assist with activities in this sector. All surveyors (twenty-seven at time of writing) within the MSO have the necessary powers, provided by their warrants, to undertake surveillance and enforcement activities. There is an additional staff member within the Maritime Services Division, covering administrative functions for the sector. All roles are part time due to the relatively small scale nature of the sector in Ireland.

2.1.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Approach to Market Surveillance: A pragmatic approach to monitoring and surveillance activities will be taken and it is intended to combine these activities with existing inspection and survey programmes where possible. This may include:

- a) Proactive Inspections: Planned market surveillance activity including planned and routine inspections and surveys of products - such inspections may include announced and unannounced inspections.
- b) Reactive Inspections: Including acting on complaints or information received from the public, accident investigation reports, Customs, Coast Guard, other market surveillance authorities, intelligence from the Garda Síochána, the Marine Casualty Investigation Board, the Health and Safety Authority and other Administrations.
- c) Follow up inspections and investigations may be undertaken where appropriate.

Precautionary Principle: This approach will be taken if it is suspected that products are likely to be placed on the market where the market surveillance authorities of one Member State have sufficient reason to believe that a product covered by Directive 2014/90/EU presents a risk to the health or safety of persons, to property or to the environment. To prevent danger to the public or risk to the environment, measures may be taken in order to prohibit, restrict or require the withdrawal of a product from the market or from vessels on which the equipment is installed.

Procedure to follow up complaints: Any complaints or queries regarding a particular product may be made to the MSO, which may then be followed up with an investigation including a risk analysis.

Measures/tools for alerting users of hazardous products: In addition to requiring manufacturers and distributors to alert end users, the standard practice is to issue a Marine Notice on the Department of Transport website. If the severity of the hazard requires, the method of alerting users can be escalated, such as by publishing alerts and information in commercial publications that have the widest circulation within the sector.

Approach to penalties: Generally the MSO will seek to find a satisfactory solution that does not require penalties – i.e. through corrective actions. This may not always be sufficient and a range of penalties are available. The offences and penalties are defined within S.I. No. 177/2017 - European Union (Marine Equipment) Regulations 2017. Depending on the offence a person, on conviction, can be subject to fines and/or imprisonment.

Mechanisms for ensuring involvement of stakeholders (business & consumer organisations): The MSO carries out active liaison, advice, guidance and consultation with the main stakeholders involved in the maritime industry. Information on all aspects of the work of the MSO is made available to the public and stakeholders on the Department of Transport, Tourism and Sport's website: www.dttas.gov.ie

Co-operation: Other organisations, agencies and regulatory authorities, including those of other Member States (through use of RAPEX, ICSMS and CIRCA information systems), may be involved in the operation and development of the market surveillance programme by providing information or assistance as appropriate to the circumstances. These agencies (in Ireland) include; Customs, An Garda Síochána, the Competition and Consumer Protection Commission, the National Standards Authority of Ireland, the Health and Safety Authority and the Marine Casualty Investigation Board.

Priorities:

Approach for Setting Priorities: Due to resource constraints, market surveillance undertaken in the short term will be reactive only. This may be based on Customs and

RAPEX notifications, advice from other market surveillance authorities as well as national intelligence.

Risk Evaluation: Levels of risk and prioritisation of inspections will be assessed using the following criteria:

- The profiling framework outlined at (a) above;
- Information received from European monitoring and information systems such as RAPEX, ICSMS and CIRCA;
- Information collected on the compliance record of manufacturers, authorised representatives, importers and distributors.
- Requirement for involvement of other agencies;
- The resources available to the Marine Survey Office.

2.1.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

- 2017 – 2019: An investigation was completed regarding wheelmarked davit launched liferaft release hooks involving various MS's and EU Commission fora. No resolution was found.
- 2015-2017: Two unrelated investigations involving wheelmarked EPIRBS incl. issuance of marine notices and voluntary withdrawals from the market by a manufacturer.

2.2. Sector 25 Recreational Craft & Personal Watercraft Products

2.2.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

The Marine Survey Office (MSO) is the market surveillance authority and the competent authority in the State. The MSO forms part of the Irish Maritime Administration, Department of Transport, Tourism and Sport.

Contact for the MSO: mso@dtas.gov.ie, + 353 1 678 3400

MSO web address: www.dttas.gov.ie/maritime

Project Officer: Jason Bryars, JasonBryars@dtas.gov.ie, +353 1 678 3408

Resources: All activities have to be performed within the existing departmental budgets and headcount, which are subject to national economic restrictions on Government spending. One surveyor has been assigned to co-ordinate all activities in this sector, with assistance from a surveyor in each of the two regional offices. All surveyors (twenty-seven at time of writing) within the MSO have the necessary powers, provided by their warrants, to undertake surveillance and enforcement activities. There is an additional staff member within the Maritime Services Division, covering administrative functions for the sector. All roles are part time due to the relatively small-scale nature of the sector in Ireland.

2.2.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Approach to Market Surveillance: A pragmatic approach to monitoring and surveillance activities will be taken and it is intended to combine these activities with existing inspection and survey programmes where possible. This will include:

- a) Proactive Inspections: Planned market surveillance activity including planned and routine inspections and surveys of products - such inspections will include announced and unannounced inspections
- b) Reactive Inspections: Including acting on complaints or information received from the public, accident investigation reports, Customs, Coast Guard, other market surveillance authorities, intelligence from the Garda Síochána, the Marine Casualty Investigation Board, the Health and Safety Authority and other Administrations.

Follow up inspections and investigations will be undertaken where appropriate

- c) Precautionary Principle: This approach will be taken if it is suspected that products are likely to be placed on the market where the market surveillance authorities of one Member State have sufficient reason to believe that a product covered by Directive 2013/53/EU

presents a risk to the health or safety of persons, to property or to the environment. To prevent danger to the public or risk to the environment, inspections, supported by Customs or An Garda Síochána, may be made in order to prohibit, restrict or require the withdrawal of any product from the market.

Procedure to follow up complaints: Complaints can be made directly to the MSO and are assigned to an individual surveyor, who will conduct an investigation as appropriate. It is typical that the surveyor will inspect the product(s) and seek evidence from all relevant parties. The surveyor has the statutory powers to require corrective actions to be taken, and will follow up whether they have been satisfactorily implemented prior to closing the investigation. Records of all complaints are kept and maintained within the MSO.

Procedure to monitor accidents: All serious accidents are independently investigated by the Marine Casualty Investigation Board (MCIB). The Maritime Safety and Policy Division (MSPD) monitor the MCIB reports and any relevant findings or recommendations will be brought to the attention of the market surveillance authority. The MSO is also made aware of all SITREP alerts issued by the Irish Coast Guard, regarding the response to an on-going incident. For less serious accidents monitoring is dependent upon the MSO being informed by seafarers, members of the public, organisations or other government agencies such as port authorities or An Garda Síochána.

Measures/tools for alerting users of hazardous products: In addition to requiring manufacturers and distributors to alert end users, the standard practice is to issue a Marine Notice on the Department of Transport website. Relevant organisations and clubs within the sector typically bring relevant notices to the attention of their members. If the severity of the hazard requires, the method of alerting users can be escalated, such as by publishing alerts and information in commercial publications that have the widest circulation within the sector.

Approach to penalties: Generally the MSO will seek to find a satisfactory solution that does not require penalties – i.e. through corrective actions. This will not always be sufficient and a range of penalties are available. The offences and penalties are defined within the ‘European Union (Recreational Craft and Personal Watercraft) Regulations 2017’. Depending on the offence a person, on conviction, can be subject to fines and/or imprisonment.

Mechanisms for ensuring involvement of stakeholders (business & consumer organisations): The MSO carries out active liaison, advice, guidance and consultation with the main stakeholders involved in the maritime industry. Information on all aspects of the work of the MSO is made available to the public and stakeholders on the Department of Transport, Tourism and Sport’s website: www.dttas.gov.ie

Co-operation: Other organisations, agencies and regulatory authorities, including those of other Member States (through use of RAPEX, ICSMS, RSG and CIRCA information

systems), may be involved in the operation and development of the market surveillance programme by providing information or assistance as appropriate to the circumstances. These agencies (in Ireland) include; Customs, An Garda Síochána, the Competition and Consumer Protection Commission, the National Standards Authority of Ireland, the Health and Safety Authority and the Marine Casualty Investigation Board.

A Data Exchange Agreement was agreed in April 2012 between the Revenue Commissioners' Customs Service and the Department of Transport, Tourism and Sport - on the control of products entering Ireland from third countries. The completion of a formal Memorandum of Understanding on these matters with the Customs Service is under review.

Priorities:

Approach for Setting Priorities: Work is continuing in the development of a targeted profiling framework for the market surveillance of recreational craft products. This will be based on Customs and RAPEX notifications, advice from other market surveillance authorities as well as national intelligence.

Risk Evaluation: Levels of risk and prioritisation of inspections will be assessed using the following criteria:

- The profiling framework outlined at (a) above;
- Information received from European monitoring and information systems such as RAPEX, ICSMS, RSG and CIRCA;
- Information collected on the compliance record of manufacturers, authorised representatives, importers and distributors;
- Results of previous inspections as well as the frequency and dates of all previous inspections;
- Requirement for involvement of other agencies;
- The resources available to the Marine Survey Office, taking account of the cost benefit factors of each individual inspection.

2.2.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

A planned inspection was carried out on a recreational craft boat builder. Initial findings were issued to the boat builder. A follow up meeting was held. Many of the matters were addressed. The last remaining non conformity issues are being addressed. We are satisfied that all issues will be addressed by end Q1 2020.

2.3. Sector 24 Tyre Labelling

2.3.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

The Sustainable Energy Authority of Ireland (SEAI) has operational responsibility for undertaking market surveillance of this sector; the Minister of Communications, Climate Action and Environment is currently the Market Surveillance Authority:

Contact details: Tim Stokes and Dawn Stimpson, Sustainable Energy Authority of Ireland (tim.stokes@seai.ie; +353 1 808 2059 Dawn.stimpson@seai.ie; +353 1 808 2050); Richard Leonard, Department of Communications, Climate Action and Environment (Richard.Leonard@dccae.ie , +353 1 678 2202)

Resources (covering all market surveillance activity relating to tyre labelling, ecodesign and energy labelling – cannot be disaggregated):

- SEAI: 2 FTE + outsourced staff (approx. 2 FTE); budget of €0.45m for 2020
- DCCAE: 0.5 FTE

2.3.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

SEAI took over operational responsibility for the market surveillance of tyre labelling in April 2016.

SEAI's general approach to tyre labelling market surveillance is to periodically monitor the general state of compliance across the market and to implement a risk-based approach using market intelligence from a range of sources including industry stakeholders and previous compliance monitoring exercises. SEAI's approach is complemented by:

- a stakeholder engagement approach through which it is aiming to increase the capacity at its disposal for identifying non-compliant tyres and promoting labels to consumers;
- the development of supports to assist market operators in complying with the Regulations e.g. compliance leaflets, point of sale information, etc;
- information campaigns targeted at consumers to raise their awareness and understanding of labels; and
- engagement with Irish MSAs and other Member State Tyre Labelling MSAs in order to share information, share learning and coordinate activity.

Consumers and other stakeholders can report possible non-compliance to DCCAIE or SEAI. This is promoted on the SEAI labelling web-page.

2.3.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

2.4. Sector 23 Ecodesign and energy labelling

2.4.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

The Sustainable Energy Authority of Ireland (SEAI) has operational responsibility for undertaking market surveillance of this sector; the Minister of Communications, Climate Action and Environment is currently the Market Surveillance Authority:

- Contact details: Tim Stokes and Dawn Stimpson, Sustainable Energy Authority of Ireland (tim.stokes@seai.ie; +353 1 808 2059 Dawn.stimpson@seai.ie; +353 1 808 2050); Richard Leonard, Department of Communications, Climate Action and Environment (Richard.Leonard@dccae.ie , +353 1 678 2202)
- Resources (covering all market surveillance activity relating to tyre labelling, ecodesign and energy labelling – cannot be disaggregated):
 - SEAI: 2 FTE + outsourced staff (approx. 2 FTE); budget of €0.45m for 2020
 - DCCAE: 0.5 FTE

2.4.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

SEAI took over operational responsibility for the market surveillance of ecodesign and energy labelling in April 2016.

SEAI's general approach to energy labelling market surveillance is to periodically monitor the general state of compliance across the market and to implement a risk-based approach using market intelligence from a range of sources including industry stakeholders and previous compliance monitoring exercises. SEAI's approach is complemented by:

- a stakeholder engagement approach through which it is aiming to increase the capacity at its disposal for identifying non-compliant products and promoting energy labels to consumers;
- the development of supports to assist market operators in complying with the Regulations e.g. compliance promotion materials, point of sale information, etc;
- information campaigns targeted at consumers to raise their awareness and understanding of labels;
- engagement with Irish MSAs and other Member State Ecodesign and Labelling MSAs in order to share information, share learning and coordinate activity.

SEAI’s general approach to planned ecodesign market surveillance is to utilise a risk-based methodology to identify target product groups and market operators. Under the direction of DCCAE, it coordinates Authorised Officers in campaigns to investigate possible non-compliance in priority product sectors. Stakeholder engagement forms a core part of this approach and SEAI has led the development and implementation of a Stakeholder Engagement Plan to assist in that regard.

SEAI is also providing advice to market operators who make enquiries regarding the requirements for compliance with the Ecodesign Directive during the design phase of products.

Furthermore, SEAI coordinates ecodesign inspections undertaken in response to reports of non-compliance as directed by DCCAE in its capacity as MSA.

Consumers and other stakeholders can report possible non-compliance to DCCAE or SEAI. This is promoted on the SEAI and DCCAE webpages.

2.4.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

The table below sets out a summary of the activities that took place during 2019:

Regulation	Theme	Activities
Tyre labelling	Inspections	<ul style="list-style-type: none"> • 10 dealer websites inspected • 5 tyre models sent for laboratory testing • Technical documentation of 13 tyre models checked
Energy labelling	Inspections	<ul style="list-style-type: none"> • 110 dealers visited to inspect retailer compliance with the Regulations • 50 dealer websites inspected • 14 products laboratory tested for energy labelling compliance • Technical documentation checks of 98 products
	Stakeholder engagement	<ul style="list-style-type: none"> • Meeting held with major retailers to issue guidance relating to online energy labelling compliance
	Communications	<ul style="list-style-type: none"> • Energy labelling guide for retailers distributed to all retailers;

		<ul style="list-style-type: none"> • Retailers' online labelling guide developed and issued
Ecodesign	Inspections	<ul style="list-style-type: none"> • 26 products laboratory tested for ecodesign (14 also tested for energy labelling compliance as well as ecodesign – see above) • Technical documentation checks of 108 products
	Stakeholder engagement	<ul style="list-style-type: none"> • Stakeholder meetings held relating to: <ul style="list-style-type: none"> ○ Lighting ○ Heating ○ Solid fuel heating
	Partnership working	<ul style="list-style-type: none"> • Joint working with UK MSA (Office for Product Standards and Safety) relating to lighting and circulators • Participation in EEPLIANT2 relating to network standby and refrigeration

2.5. Sector 21 Electrical and electronic equipment under RoHS and WEEE and Batteries

2.5.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Competent Authority: Environmental Protection Agency.

Primary Contact: Martin Doyle, Office of Radiation Protection and Environmental Monitoring

E-mail: RoHS@epa.ie.

Resources available:

Resource Availability and Expenditure relating to Sector during 2019	
Expenditure under sectoral heading ¹	~€14,395.00
Staff available to market surveillance authorities (full-time equivalent units)	0.059
Technical resources	0

2.5.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

The aim of the market surveillance activity is to ensure compliance with the restrictions on the specified hazardous substances thereby contributing to the protection of the environment and human health by reduction in the potential uncontrolled releases of these substances. Additionally, the absence of these substances improves the environmental performances of the products concerned through enhancing the recyclability of the relevant products.

The EPA employs a “Trust but Verify” approach to surveillance activities and targets product groups associated with a high risk of non-compliance. When determining non-compliance risk, factors such as previous non-compliance levels (e.g. observed during past surveillance campaigns, enforcement information from other MSA activities) and number of complaints received regarding the product category, are considered.

¹ The figure quoted indicates the total spend on enforcement activities for the sector during the reporting period. The amount does not include staff costs and other additional costs e.g. assigned overheads and depreciation.

The EPA adopts a compliance assistance approach, engaging with manufacturers, importers and other economic operators to support their compliance efforts.

During 2020 the EPA currently intends to execute a surveillance programme targeting products containing Light Emitting Diodes (LED). Results from the programme will contribute to the current RoHS AdCo joint surveillance operation relating to LED-containing products. Up to 50 products will be tested for compliance with the legislation concerned.

During 2020 the EPA's RoHS Market Surveillance Strategy will be revised to account for new/additional obligations set out under Regulation (EU) 2019/1020. It is anticipated the types and levels of future market surveillance activities will largely depend on the nature of any trade agreement(s) resulting from the United Kingdom's departure from the European Union. Market surveillance plans will be reviewed and updated as additional clarity on the situation becomes available.

2.5.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

During Q4 2019 a total of 25 LED-containing products were procured and tested for compliance with the Directive's essential requirements. Results of the tests are expected during Q1 2020. It is anticipated results from the programme will contribute to the current RoHS AdCo joint surveillance operation relating to LED-containing products.

Additionally, a total of 50 technical files relating to LED-containing products were evaluated for monitoring compliance with the Directive. These evaluations are scheduled for completion Q2 2020.

A total of 6 self-reported non-compliances under Directive 2011/65/EU were received during 2019 which have been either closed out or scheduled for closure during Q3 2020.

2.6. Sector 22/A Chemical substances under REACH and Classification and Labelling Regulations

2.6.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Competent Authority: Environmental Protection Agency.

Primary Contact: Martin Doyle, Office of Radiation Protection and Environmental Monitoring

E-mail: info@epa.ie.

Resources available:

Resource Availability and Expenditure relating to Sector during 2019	
Expenditure under sectoral heading ²	€0
Staff available to market surveillance authorities (full-time equivalent units)	0.117
Technical resources	0

2.6.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

The EPA is the competent authority within the State for the prevention of environmental pollution under Regulation (EC) 1907/2006. The aim of the EPA's market surveillance activity is to ensure compliance with the controls on the specified hazardous substances thereby contributing to the protection of the environment by reduction in the potential uncontrolled releases of these substances. Additionally, the absence of these substances improves the environmental performances of the products concerned through enhancing the recyclability of their constituents.

The EPA employs a risk-based approach towards surveillance targeting product groups associated with an elevated risk of non-compliance. When determining

² The figure quoted indicates the total spend on enforcement activities for the sector during the reporting period. The amount does not include staff costs and other additional costs e.g. assigned overheads and depreciation.

non-compliance risk, factors such as previous non-compliance levels, e.g. observed during past surveillance campaigns, and enforcement information from other MSA activities, e.g. RAPEX notifications issued, are considered.

During 2020 the EPA currently intends to execute a surveillance programme targeting small household items which will combine monitoring compliance not only with Regulation (EC) 1907/2006 but also with Regulation (EU) 2019/1021. Where appropriate, it is anticipated some of the substances on the Candidate List for Restriction under Regulation (EC) 1907/2006 will be included in testing. It is anticipated the types and levels of future market surveillance activities will largely depend on the nature of any trade agreement(s) resulting from the United Kingdom's departure from the European Union. Market surveillance plans will be reviewed and updated as additional clarity on the situation becomes available.

2.6.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

During 2019 the EPA carried out no market surveillance programme for compliance monitoring with Regulation (EC) 1907/2006 due to lack of labour resources.

2.7. Sector 22/B Restriction on the use and releases of certain Hazardous Substances - Ozone Depleting Substances and Fluorinated Greenhouse Gases (ODS and F-Gases) – Regulation (EC) 842/2006 and Regulation (EU) 517/2014

2.7.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Competent Authority: Environmental Protection Agency.

Primary Contact: Martin Doyle, Office of Radiation Protection and Environmental Monitoring

E-mail: ods@epa.ie and fgases@epa.ie

Resources available:

Resource Availability and Expenditure relating to Sectors during 2019	
Expenditure under sectoral heading ³	~€26,196
Staff available to market surveillance authorities (full-time equivalent units)	~0.97
Technical resources	0

2.7.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

The aim of market surveillance activity is to ensure compliance with the controls on the specified hazardous substances thereby contributing to the protection of the environment and human health by reduction in the potential uncontrolled atmospheric releases of these substances.

The EPA targets the relevant economic operator categories associated with a high risk of non-compliance. When determining non-compliance risk, factors such as

³ The figure quoted indicates the total spend on enforcement activities for the sector during the reporting period. The amount does not include staff costs and other additional costs e.g. assigned overheads and depreciation.

previous non-compliance levels (e.g. observed during past surveillance campaigns, enforcement information from other MSA activities) and number of complaints received regarding the operators, are considered.

The EPA adopts a strong compliance assistance approach for promoting compliance by working with economic operators to support their efforts in fulfilling their obligations. The EPA also generates target guidance for specific operators to promote awareness and drive compliance.

During 2020 the EPA currently intends to carry out up to 40 inspections of economic operators premises to determine compliance with the Regulations' requirements. It is anticipated the types and levels of future market surveillance activities will largely depend on the nature of any trade agreement(s) resulting from the United Kingdom's departure from the European Union. Market surveillance plans will be reviewed and updated as additional clarity on the situation becomes available.

2.7.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

During 2019 a total of 42 inspections of economic operators were carried out. No non-compliances were observed during the period.

The EPA initiated investigations into allegations of uncontrolled releases of Sulphur Hexafluoride by a prominent electricity supplier. These investigations are ongoing.

Additionally, in 2019 the EPA commenced investigations into the use of F-Gases within the beauty treatment sector. This has involved cooperation with other Member States' market surveillance authorities. These investigations are ongoing.

2.8. Sector 22/B Restriction on the manufacture and use of certain Hazardous Substances – Persistent Organic Pollutants (POPs) – Regulation (EC) 850/2004

2.8.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Competent Authority: Environmental Protection Agency.

Primary Contact: Martin Doyle, Office of Radiation Protection and Environmental Monitoring

E-mail: POPs@epa.ie

Resources available:

Resource Availability and Expenditure relating to Sector during 2019	
Expenditure under sectoral heading ⁴	~€6,002.00
Staff available to market surveillance authorities (full-time equivalent units)	~0.12
Technical resources	0

2.8.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

The aim of market surveillance activity is to ensure compliance with the restrictions on the specified hazardous substances thereby contributing to the protection of the environment and human health by reduction in the potential uncontrolled releases of these substances. Additionally, the absence of these substances in articles improves their recyclability.

The EPA employs a risk-based approach towards surveillance targeting product groups for surveillance associated with a high risk of non-compliance. When determining non-compliance risk, factors such as previous non-compliance levels,

⁴ The figure quoted indicates the total spend on enforcement activities for the sector during the reporting period. The amount does not include staff costs and other additional costs e.g. assigned overheads and depreciation.

e.g. observed during past surveillance campaigns, and enforcement information from other MSA activities, e.g. RAPEX notifications issued, are considered.

During 2020 the EPA currently intends to execute a surveillance programme targeting small household items which will combine monitoring compliance not only with Regulation (EU) 2019/1021 but also, where appropriate, for relevant restrictions under Regulation (EC) 1907/2006. It is anticipated the types and levels of future market surveillance activities will largely depend on the nature of any trade agreement(s) resulting from the United Kingdom's departure from the European Union. Market surveillance plans will be reviewed and updated as additional clarity on the situation becomes available.

2.8.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

During Q4 2018 the EPA carried out a market surveillance programme combining requirements under both Regulation (EC) 850/2004 and Regulation (EC) 1907/2006. The programme consisted of testing articles of 20 household items for relevant restricted substances. During Q1 2019, test results from the programme indicated one product, a bath mat, contained higher than permitted levels of C₁₀₋₁₃ Chloroalkanes. Further investigations on product samples provided similar results. Following notification, the economic operator concerned voluntarily withdrew the products from the market and managed the products appropriately.

2.9. Sector 22/B Restriction on the use of Volatile Organic Compounds in certain Paints, Varnishes and Vehicle Refinishing Products – Directive 2004/42/EC

2.9.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Competent Authority: Environmental Protection Agency.

Primary Contact: Martin Doyle, Office of Radiation Protection and Environmental Monitoring

E-mail: Decopaints@epa.ie

Resources available:

Resource Availability and Expenditure relating to Sector during 2019	
Expenditure under sectoral heading ⁵	€0
Staff available to market surveillance authorities (full-time equivalent units)	~0.0
Technical resources	0

2.9.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

The aim of market surveillance activity is to ensure compliance with the labelling requirements for the regulated products set out within the Directive thereby contributing to the protection of the environment and human health by reduction in the potential uncontrolled releases of the specified volatile organic compounds and the resulting formation of ambient ozone. Additionally, the reduction of the specified volatile organic compounds in these products improves their recyclability.

⁵ The figure quoted indicates the total spend on enforcement activities for the sector during the reporting period. The amount does not include staff costs and other additional costs e.g. assigned overheads and depreciation.

During 2020 the EPA currently intends to execute a surveillance programme targeting domestic decorative coatings.

2.9.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

During 2019 the EPA carried out no market surveillance programme for compliance monitoring with Directive 2004/42/EC due to lack of labour resources.

2.10. Sector 17 Measuring instruments, Non-automatic weighing instruments, Pre-packaged products and Units of measurement

2.10.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

NSAI Legal Metrology Service
Contact Name: Paul Turner
E-mail: Paul.Turner@nsai.ie

Structure and Responsibilities: The Legal Metrology Service, NSAI has been charged with the responsibility for market surveillance through national regulation. Investigative powers have been given to authorised officers who report to the Director of Legal Metrology who has powers to withdraw, recall and dispose of non-compliant instruments and prosecute non-compliant operators.

Organisation:

Human Resources: the role of market surveillance is incorporated into the activities of the Legal Metrology Service which is already charged with inspection of measuring instruments in trade use.

Technical Resources: those needed for physical testing at the operational level are available to the Legal Metrology Service and it is not envisaged that in-depth type approval tests which are normally conducted under laboratory conditions will be undertaken.

Financial Resources: market surveillance activities will be performed within existing operations budget which is unlikely to be increased in the current financial and economic climate.

2.10.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Approach: Proactive inspections are routine in the operation of the Legal Metrology Service to ensure measuring instrument in trade use comply with legal requirements. These checks will be used to identify location and compliance of individual measuring instruments being put into use on the market. Inspections will take place at the premises of economic operators before supply/installation and also at the place of use of the instrument. Reactive investigations will be carried out where complaints are raised by third parties in relation to any product covered by the Directives. For each Directive, specific product categories have been selected for a targeted proactive action each year based on current knowledge of products covered by the Directives. The targeted actions will involve investigations moving back through the distribution chain to the manufacturer.

Priority setting: Information will be gathered through routine inspections to identify the market operators responsible for making instruments available on the market. A risk-based inspection strategy will be used to identify the products of greatest risk.

Horizontal Co-operation: The plan will take account of initiatives and actions to be undertaken by other metrology services co-ordinated by WELMEC (organisation of European Legal Metrology Authorities) and if necessary, the plan can be reviewed to take account of any joint actions.

Time Period: it is intended that the programme will operate on an annual basis at which time it will be reviewed and updated unless agreement is reached with other authorities on joint actions, which if it occurs will result in a review of the programme, most likely in the proactive targeted actions.

Information dissemination: information on the programme will be disseminated through meetings with suppliers and trader group representatives and publicised through media interviews, website etc.

Non-compliant products: The risk addressed in metrological legislation in trade use is metrological integrity which if breached will generally result in fiscal detriment. National metrology legislation allows for non-compliant products to be withdrawn, recalled and disposed of, if necessary. Where breaches are identified prosecutions may also be taken against the liable economic operators.

2.10.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

During 2019, as part of an EU WELMEC WG5 project, Legal Metrology monitored weighing instruments used for patient weighing in medical facilities. This work will be ongoing throughout 2020.

A number of non-approved instruments were detected in the weighing and liquid fuel sectors. Actions were taken to bring these instruments into compliance and the economic operators have implemented actions to ensure ongoing compliance in the future.

2.11. Sector 2 Cosmetics

2.11.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

The competent authority for cosmetic products in Ireland is the Health Products Regulatory Authority (HPRA).

Contact details:
Kevin O'Malley House,
Earlsfort Centre,
Earlsfort Terrace,
Dublin 2.
Tel: +353 1 676 4971
cosmetics@hpra.ie

Market surveillance and enforcement activities are carried out in conjunction with the Environmental Health Service of the Health Service Executive (HSE). Analytical testing of cosmetics samples is carried out by the Public Analyst's Laboratories in Cork, Dublin and Galway. Desk review of product information files and other supporting information is conducted by the HPRA.

2.11.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

General monitoring approach for compliance with Regulation (EC) No. 1223/2009:

A risk based approach to monitoring and surveillance activities has been adopted and includes:

a. Proactive monitoring, including process based inspections:

Planned and routine inspections of cosmetic products and processes at sites where cosmetics are manufactured, stored and/or sold.

b. Reactive product based inspections:

Including acting on information received, for example from serious risk alerts received from other countries (RAPEX alerts), Undesirable Effects (UE)/Serious Undesirable Effect (SUE) reports, complaints from the public and/or Healthcare Professionals, or other market surveillance authorities.

c. Precautionary Principle:

This approach will be taken, for example if it is suspected that illegal manufacture, import, storage or sales are taking place, or dangerous and/or counterfeit products are on the market.

2.11.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

Reactive market surveillance included investigation of quality-related complaints (compliance cases), reports of adverse events relating to the use of cosmetics (vigilance cases) and RAPEX alerts; there were 285 such surveillance cases initiated. As part of proactive market surveillance activities, one inspection of cosmetic distributors was conducted to assess compliance with the Cosmetics Regulation.

2.12. Sector 3: Toys
Sector 4: Personal Protective Equipment (Recreational & Leisure),
Sector 16: Appliances burning gaseous fuels (Domestic),
Sector 20: Electrical appliances and equipment under LVD,
Sector 30. Other consumer products under GPSD

2.12.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Authority: Competition and Consumer Protection Commission

Contact: Bloom House, Railway Street, Dublin 1, D01 C576, Ireland

Email: productsafety@ccpc.ie

In 2019, the Competition and Consumer Protection Commission (CCPC) made significant changes to the structure of its product safety functions, as part of its preparation for the potential impact of Brexit and to implement a revised market surveillance strategy. It recently established a stand-alone Product Safety Division, which had previously been a unit within the Criminal Enforcement Division, with responsibility for the CCPC's market surveillance and product safety functions. The Division currently has 14 full time staff, including a recently appointed Director of the Division. Further staff recruitment may be undertaken in 2020.

The Product Safety Division activities are financed from the annual budget allocated to the CCPC. The CCPC does not have any in-house laboratories or test facilities but can call upon relevant external facilities and expertise as required. Several staff members have technical and safety qualifications and enforcement experience. It also has direct access to an in-house Legal Services Division.

2.12.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

The Division has the responsibility for market surveillance for the products under the CCPC's product safety remit, acting as the national co-ordinator for Safety Gate (formally known as RAPEX), and investigating product safety complaints and issues.

The CCPC is preparing a revised longer term market surveillance strategy, which will include consideration of the impact of Brexit on product safety and market surveillance in Ireland. In particular, when the UK leaves the EU and becomes a third country, there may be a substantial increase in imports from third countries through Irish ports, increasing the number of product subject to market surveillance by the CCPC. There is also a potential for regulatory divergence with the UK, Ireland largest trading partner. Further, there are significant European legislative changes in train, including the EU Market Surveillance and Compliance of Products Regulations (Regulation (EU) 2019/1020) which will be transposed in Ireland in 2021. Irrespective of the outcome of Brexit, the CCPC intends to increase its pro-active and reactive market surveillance of products.

The CCPC continues to use a risk assessment based approach to investigating consumer complaints and queries received directly via the CCPC's helpline or from other regulatory authorities and referrals from the Customs Service of the Revenue Commissioners. In recent years, the CCPC has worked closely with the Customs Service of the Revenue Commissioners to successfully target specific goods at the point of entry which are known to pose regular safety concerns. The CCPC also responds to notifications received through the Safety Gate system and follows up with domestic economic operators to ensure that appropriate remedial action is being taken. The CCPC also carries out some pro-active inspections of economic operators and intends to significantly increase its pro-active market surveillance in the future.

The CCPC, as part of its consumer information function, provides product safety information to consumers and runs consumer information campaigns. Likewise, the CCPC provides information to industry regarding their product safety obligations. As part of its longer term strategy, the CCPC intends to increase its coordinated targeted engagement with both economic operators and consumers.

The CCPC actively participates in national fora and bilateral engagement with national market surveillance authorities. The CCPC attends the National Market Surveillance Forum, which is chaired by the Department of Business, Enterprise and Innovation, meets regularly and works closely with other regulatory bodies in Ireland. The CCPC actively participates in several national technical safety committees including the national technical committee for domestic appliances and related committees. The CCPC continues to strengthen its ongoing co-operation with the Customs Service of the Revenue Commissioners where a Memorandum of Understanding has been in place since early 2019 regarding our reciprocal obligations pursuant to the Market Surveillance Regulations.

In 2019, the CCPC actively increased its participation with EU groups increasing its attendance and participation in ADCOs, RAPEX contact point groups, Consumer Safety Network working groups or Expert groups for product safety legislation. The CCPC has committed to participate in four joint action CASP (European Commission Coordinated Actions on the Safety of Products) programmes in 2020. The CCPC is participating in vertical activities for 'Baby nests' and in horizontal activities for 'Co-operation with

Customs’, ‘Information campaigns for Economic Operators and consumers’ and ‘Common risk assessment methodologies’. The CCPC also increased its bi-lateral engagement with market surveillance authorities in other Member States, including its participation in a study exchange with the Swedish Consumer Agency as well as meetings and conference calls with other market surveillance authorities.

2.12.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

During the 2019 period (up to 31 Dec 2019), under the sectors listed above, the CCPC with the co-operation of Customs, investigated approximately 75 consignments containing approximately 345,669 products, at the point of importation. The products were investigated to ensure that they did not pose a risk to consumers and complied with the requirements of the relevant legislation. Following these investigations, approximately 37,387 products were detained, disposed of or re-exported including a variety of toys, sunglasses, novelty items, electrical appliances and electrical chargers and adaptors as they were not compliant with the relevant legislation.

The CCPC also investigated approximately 560 complaints received from consumers and other sources. The CCPC submitted 2 notifications through the RAPEX system and reacted to 149 notifications from other EU Member States where the products had been placed or made available on the Irish Market.

In 2019, with respect to proactive market surveillance, the CCPC carried out some proactive market surveillance activities including its involvement in an EU CASP Project relating to ‘Slime’ toys. The CCPC conducted a pilot market surveillance inspection of 10 electrical appliance retail premises in 2019 assessing compliance of low voltage products. The CCPC also conducted a proactive inspection of stalls in the Henry Street Christmas Market, in conjunction with An Garda Síochána, to verify that the toys on sale complied with the relevant legislation as inspections in previous years had detected non-compliant products being offered for sale.

2.13. Sector 5 – Construction

2.13.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

- 31 Local Building Control Authorities
- Contact: Department of Housing Planning and Local Government - buildingstandards@housing.gov.ie, +353 8882000
- Web address: <https://www.housing.gov.ie/housing/building-standards/construction-products-regulation/market-surveillance-construction>
- Point of contact: Victoria McCabe, +353 8882389

Resources: Authorised Officers have been appointed within each of the 31 local building control authorities to enforce the statutory requirements set out under the European Union (Construction Products) Regulations 2013 and Regulation (EU) No. 305/2011. Building control authorities also have primary responsibility for the enforcement of the Building Regulations 1997 - 2019, the Building Control Regulations 1997 – 2018 as well as for parts of the European Union (Energy Performance of Buildings) Regulations.

Building control authorities do not have the technical resources in-house to test construction products which may be non-compliant with the requirements of the Regulation (EU) No. 305/2011. Typically, the testing and evaluation of construction products, where considered necessary, will be outsourced to accredited bodies providing such services.

All enforcement activity will have to be performed within existing local authority budgets. However, where a construction product is sent for testing by a building control authority and that product is found to be non-compliant with the requirements of Regulation (EU) No. 305/2011, the regulations provide that the building control authority may seek to recover the costs of that test from the relevant economic operator as simple contract debt from any court of competent jurisdiction. Similarly, where an economic operator has been convicted on indictment for an offence under the regulatory regime, a building control authority may seek a forfeiture order to seize and destroy the construction products concerned; the costs associated with the destruction or disposal of the products may be recovered by the building control authority from the relevant economic operator as simple contract debt from any court of competent jurisdiction.

2.13.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Approach to Market Surveillance:

Under the regulations, building control authorities have powers to obtain access to premises to examine, test or inspect products, request documentation regarding the performance of a product, take samples of the product, request the Minister for the Environment, Community and Local Government to prohibit or restrict the use of a product and prosecute offences.

Any construction products identified as non-compliant will be subject to the specific provisions of the European Union (Construction Products) Regulations 2013 and the broader overarching requirements of Chapter III of Regulation (EU) No. 765/2008 and Chapter VIII of Regulation (EU) No. 305/2011.

A pragmatic approach to monitoring and surveillance activities will be taken and it is intended to combine these activities with existing inspection and survey programmes where possible. This may include:

- a) Proactive Inspections: Planned market surveillance activity including planned and routine inspections and surveys of products - such inspections may include announced and unannounced inspections.
- b) Reactive Inspections: Typically, market surveillance activity will be triggered on foot of acting on information received from complaints (e.g. from the public, public bodies, contractors, designers, customs, police or other market surveillance authorities etc.).

Follow up inspections and investigations may be undertaken where appropriate.

Procedure to follow up complaints: Any complaints or queries regarding a particular product may be made to any of the 31 building control authorities, which may then be followed up with an investigation including a risk analysis and

Measures/tools for alerting users of hazardous products: In addition to requiring manufacturers and distributors to alert end users, the standard practice is to issue an alert to registered users of the Building Control Management System which includes those involved in building works.

Approach to penalties: Generally the 31 building control authorities will seek to find a satisfactory solution that does not require penalties – i.e. through corrective actions. This may not always be sufficient and a range of penalties are available. The offences and penalties are defined within S.I. [No. 225 of 2013](#). Depending on the offence a person, on conviction, can be subject to fines and/or imprisonment.

Mechanisms for ensuring involvement of stakeholders (business & consumer organisations): Building control authorities will continue to carry out active liaison, advice, guidance and consultation with the principal stakeholders involved in the construction sector.

Co-operation: Other organisations, agencies and regulatory authorities, including those of other Member States may be involved in the plan by providing information or assistance as agreed.

Priorities:

Approach for Setting Priorities: Factors may include:

- i. allocation of available resources including time, personnel and budgets;
- ii. selection of target manufacturers, importers, distributors and retailers for inspection / investigation;
- iii. selection of type of inspection / investigation; and
- iv. selecting frequency and target dates for inspection.

Risk Evaluation:

Risk factors may include:

- i. end-use of the construction product, i.e. the safety implications of products while in use;
- ii. extent of use of the construction product;
- iii. construction products known to contain certain materials not in compliance with Regulation (EU) No. 305/2011 / European Union (Construction Products) Regulations 2013 / relevant harmonised standard(s);
- iv. compliance record of relevant manufacturers, importers, distributors and retailers;
- v. results of previous inspections / investigations (where relevant);
- vi. frequency of previous inspections / investigations or date of last inspection / investigation (where relevant);
- vii. requirement for the involvement of other market surveillance authorities and agencies as appropriate;
- viii. cost benefit factors of inspections / investigations; and
- ix. resource capacity of building control authorities (time, human and budget resources).

2.13.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

2019– present: Market Surveillance campaign – Wastewater Treatment Systems (EN 12566)

2.14. Sectors 14 and 15 – Pyrotechnics and Explosives for Civil Uses

2.14.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Explosives Inspectorate,
Department of Justice and Equality,
Montague Court,
7-11 Montague Street,
Dublin 2
D02 FT96

Contact:
Colm Farrell,
Government Inspector of Explosives

Email: cwfarrell@justice.ie
Ph: + 353 1 4768683

Resources: The explosives inspectorate is a part of the Firearms and Explosives Licensing and Inspections Division of the Department of Justice and Equality. The primary statutory responsibilities of this inspectorate include carrying out, on behalf of the Minister, the implementation and enforcement of explosives legislation regarding, import, manufacture, storage and transport of all explosives and pyrotechnics. Inspectors are also appointed under the Carriage of Dangerous Goods legislation responsible for road check enforcement and approval and examination of specialist driver training for the carriage of UN Class 1 goods. The number of inspectors available for market surveillance activities expressed as full-time equivalent units is 0.1. There is no notified body for explosives or pyrotechnic articles in Ireland and so very limited explosive or pyrotechnic testing and evaluation is possible within existing resources. No additional budget is allocated for market surveillance, therefore all activities will have to be performed within the existing Departmental budgets, which are subject to severe national economic restrictions on Government spending.

2.14.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Principles: Due to the limited resources available, it has been decided to take a pragmatic approach to monitoring and surveillance activities and to combine these activities with existing inspection programs where possible. This will include:

Proactive inspections: Including planned and routine inspections of explosive and pyrotechnic articles at places of storage, distribution, transit, sale and use. Inspections will include announced and unannounced inspections

Reactive inspections: Including acting on information received from complaints from the public, persons with specialist knowledge, accidents, customs or police or other market surveillance authorities. Accident investigation may be conducted in conjunction with the Health and Safety Authority who have regulatory responsibility for the use of explosives and pyrotechnics in the workplace.

Precautionary Principle: This approach will be taken, for example if it is suspected that illegal manufacture, import, storage or sales are taking place, or dangerous products are on the market. Intervention inspections, supported by Gardai (police), if necessary, will be made to initiate seizure, detention and destruction where appropriate to prevent danger to the public from arising.

Cooperation: On a national level members of the inspectorate will continue to participate in the Market Surveillance Forum which is organised by the Department of Business, Enterprise and Innovation and to cooperate with the other sectoral market surveillance authorities. On an international level members of the inspectorate will continue to participate in the ADCO on Pyrotechnics and the ADCO on Explosives for Civil Uses and to cooperate with other national authorities

Strategy: The market surveillance strategy will be determined using the following priorities:

Identification of undertakings: Identification and updating of undertakings and locations involved in manufacture, importation, storage, transport and sale of explosives and pyrotechnics. This will require regular updating from local authorities and other regulatory authorities.

Risk assessment of undertakings and sites: Risk factors include:

- Explosive hazards and degree of risk involved, taking into account explosive quantity and type and location.
- Activity and degree of risk involved , whether manufacture, processing, storage , transport or sale.
- Competence of undertakings including training, experience and qualifications of the managers and personnel of the undertakings.
- Knowledge of the legislation of the undertakings.
- Compliance record of undertakings.
- Results of previous inspections
- Frequency of previous inspections or date of last inspection
- Requirement for involvement of other agencies
- Cost benefit factors of inspections.

- Resource capacity of inspectorate (time, human and budget resources).

Setting priorities

- Allocation of available resources including time, personnel and budgets.
- Selection of target undertakings for inspection
- Selection of type of inspection
- Selecting frequency and target dates for inspection.

2.14.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

Documentary checks carried out on all explosives for civil uses and pyrotechnics prior to the issue of an import licence under explosives legislation. The import licence is not issued unless all the supporting documentation is in order. A number of follow up physical checks are also carried out. Consequently the numbers of non-compliant articles, consumer complaints or product related accidents as a result of a defective article is minimal.

There was 1 finding of non-compliance and the article was withdrawn from the market.

2.15. Sector 4 Personal Protective Equipment

2.15.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority (HSA), Metropolitan Building, James Joyce Street, Dublin 1. D01 KOY8

Phone: 00353 1 6147000; email: wcu@hsa.ie

The primary remit of the Authority is occupational safety and health. Market surveillance activity may be carried out by persons who have other responsibilities. Any laboratory work is contracted out to third parties.

Note: the Competition and Consumer Protection Commission (CCPC) is also a market surveillance authority for PPE (non commercial).

2.15.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

In general most market surveillance activity for PPE is reactive arising from either complaints, accident investigations, or as a result of workplace health and safety inspections. In addition RAPEX alerts are systematically monitored to identify any products that may be on the Irish market. Where the PPE in question may be used for professional or private use, HSA consults with the Competition and Consumer Protection Commission (CCPC) on the most appropriate response.

Complaints and related follow-up actions (visits, phone calls, emails) are recorded on the Authority's internal database.

The statutory reporting of occupational accidents and dangerous occurrences is addressed in the 2016, Safety, Health and Welfare at Work (General Application)(Amendment)(NO.3) Regulations [S.I. No. 370 of 2016] but in the context of PPE only the failure of breathing apparatus is notifiable. The EU regulation on market surveillance requires economic operators to notify market surveillance authorities where they have reason to believe that their product is non-compliant and presents a risk.

HSA participates in the EU PPE ADCO committee and uses ICSMS for research and information sharing.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act or by regulations under the European Communities Act, as subsequently amended.

The Authority also makes information available through its website and through industry committees associated with agriculture, construction, road transport and chemicals.

2.15.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

In 2019 the HSA monitored PPE use in industry and followed up on any issues noted by HSA inspectors or complaints or notifications by customs.

2.16. Sector 7 Simple Pressure Vessels and Pressure Equipment

2.16.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Pressure Equipment Directive:

Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1. D01 K0Y8

Phone: 00353 1 6147000; email: wcu@hsa.ie

The primary remit of the Authority is occupational safety and health. Market surveillance activity may be carried out by persons who have other responsibilities. Any laboratory work is contracted out to third parties. (See section below for activities re PED)

Simple Pressure Vessel Directive:

Department of Business, Enterprise and Innovation, Earlsfort Centre, Lower Hatch Street, Dublin 2, Ireland

2.16.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

The HSA is the designated market surveillance authority for the PED and can take limited action for SPVD under the 2005 Safety, Health and Welfare at Work Act. Most actions in this area have arisen from scrutiny of statutory examination reports for periodic examinations under the 2007 Safety, Health and Welfare at Work (General Application) Regulations, part of which implement the Use of Work Equipment Directive.

The statutory reporting of occupational accidents and dangerous occurrences is addressed in the 2016, Safety, Health and Welfare at Work (General Application)(Amendment)(NO.3) Regulations [S.I. No. 370 of 2016] but in the context of pressure equipment the explosion, collapse or bursting of any closed vessel whether under pressure or vacuum is reportable.

Economic operators are obliged to notify market surveillance authorities under the 2017 European Union (Pressure Equipment) Regulations where they have reason to believe that their product is non-compliant and presents a risk.

HSA participates in the work of the PED ADCO committee and RAPEX alerts are systematically monitored to identify any products that may be on the Irish market. ICSMS is used for research and information sharing.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act or by regulations under the European Communities Act, as subsequently amended.

The Authority also makes information available through its website and through industry committees associated with agriculture, construction, road transport and chemicals.

The HSA has historically maintained a close relationship with the UK based Safety Assessment Federation [SAFED] of which many bodies undertaking statutory inspection of pressure vessels are members.

2.16.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

Following receipt of reports of periodic examination, follow-up action was taken by HSA inspectors in respect non-compliant vessels and pressure systems.

2.17. Sector 8 Transportable Pressure Equipment

2.17.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1, D01 K0Y8.

Phone: 00353 1 6147000; email: wcu@hsa.ie

The primary remit of the Authority is occupational safety and health. Market surveillance activity may be carried out by persons who have other responsibilities. Any laboratory work is contracted out to third parties.

2.17.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Enforcement powers and penalties are determined by the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2019.

Economic operators are required under these Regulations to inform the HSA of transportable pressure equipment on the market that is considered to present a risk.

The HSA participates in the TPED ADCO committee and attended meetings in May and December 2019.

Information on transportable pressure equipment is available on the Authority's website and through direct contact with stakeholders.

2.17.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

No specific activity in the last year.

2.18. Sector 9 Machinery

2.18.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1. D01 K0Y8

Phone: 00353 1 6147000; email: wcu@hsa.ie

The primary remit of the Authority is occupational safety and health. Market surveillance activity may be carried out by persons who have other responsibilities. Any laboratory work is contracted out to third parties.

2.18.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

In general most market surveillance activity for Machinery is reactive arising from either complaints, accident investigations, or as a result of workplace health and safety inspections. More recently proactive market surveillance has been undertaken in respect of chain-saws and vehicle servicing lifts as part of a pan European project. In addition RAPEX alerts are systematically monitored to identify any products that may be on the Irish market. Trade shows are visited to review new products being made available.

Complaints and related follow-up actions (visits, phone calls, emails) are recorded on the Authority's internal database.

The statutory reporting of occupational accidents and dangerous occurrences is addressed in the 2016, Safety, Health and Welfare at Work (General Application)(Amendment)(NO.3) Regulations [S.I. No. 370 of 2016] but in the context of Machinery:

- the failure of load bearing parts of lifting equipment
- overturning of a vehicle/ride-on mobile equipment
- Bursting of revolving vessels, wheels, grindstones
- Collapse of wind turbines or failure of their blades

are reportable.

Further information on lifting equipment is available from scrutiny of statutory examination reports for periodic examinations under the 2007 Safety, Health and Welfare at Work (General Application) Regulations part of which implement the Use of Work Equipment Directive.

The HSA participates in the Machinery ADCO committee and uses ICSMS for research and information sharing. It also participates in the ADCO task groups particularly on earthmoving machinery and agricultural machinery.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act or by regulations under the European Communities Act, as subsequently amended.

The Authority also makes information available through its website and through industry committees associated with agriculture, construction, road transport and chemicals.

The HSA maintain close contact with the UK based Safety Assessment Federation [SAFED] and UK Lifting Equipment Engineers Association [LEEA] of which, bodies undertaking a significant number of statutory inspections of lifting equipment, are members.

2.18.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

The HSA has also looked at pesticide sprayers and agricultural trailers.

Market surveillance inspections were carried out on machinery and equipment such as Powered Gates, Excavators and Vehicle lifts. Follow up action required in relation to suppliers who did not have correct documentation or CE marking displayed.

Following contact from customs, the HSA carried out market surveillance inspections of 9 container consignments of chainsaws and garden equipment entering the country from China (3rd country). One consignment was returned to home port because of non compliance. A number of consignments required additional documentation and labelling of equipment. All issues were addressed before being released to market.

The HSA will continue to target consignments from 3rd countries to ensure compliance with EU requirements and standards.

The Rapex Alerts were monitored in a systematic manner, 49 Alerts reviewed and follow up action took place where importers / distributors were identified. One Rapex Alert issued re (Sanli Chainsaw) which resulted in withdrawal from the market. One other product was also taken off the market.

2.19. Sector 10 Lifts

2.19.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1. D01 K0Y8

Phone: 00353 1 6147000; email: wcu@hsa.ie

The primary remit of the Authority is occupational safety and health. Market surveillance activity may be carried out by persons who have other responsibilities. Any laboratory work is contracted out to third parties.

2.19.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

In general most market surveillance activity for Lifts is reactive arising from either complaints, accident investigations, or as a result of workplace health and safety inspections. Some actions in this area have arisen from scrutiny of statutory examination reports for periodic examinations under the 2007 Safety, Health and Welfare at Work (General Application) Regulations part of which implement the Use of Work Equipment Directive.

The HSA participates in the work of the LIFT ADCO committee and RAPEX alerts are systematically monitored to identify any products that may be on the Irish market. ICSMS is used for research and information sharing.

Complaints and related follow-up actions (visits, phone calls, emails) are recorded on the Authority's internal database.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act or by regulations under the European Communities Act, as subsequently amended.

The statutory reporting of occupational accidents and dangerous occurrences is addressed in the 2016, Safety, Health and Welfare at Work (General Application)(Amendment)(No.3) Regulations [S.I. No. 370 of 2016] but in the context of Lifts only the collapse or failure of a load bearing part of a lift is reportable.

Economic operators are obliged to notify market surveillance authorities under the 2017 European Union (Lifts and Safety Components for Lifts) Regulations where they have reason to believe that their product is non-compliant and presents a risk.

The HSA maintain close contact with the UK based Safety Assessment Federation [SAFED] of which most bodies undertaking statutory inspection of lifts are members and with the Irish Lift and Escalator Association [ILEA] representing lift installers.

The Authority also makes information available through its website and through industry committees associated with agriculture, construction, road transport and chemicals.

2.19.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

Main focus of activity related to complaints, monitoring maintenance and statutory examinations and also the installation of non-compliant lifts by a particular installer some years previously.

One application of a derogation to pit space for an existing building was assessed and processed.

2.20. Sector 13 Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres

2.20.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1. D01 KOY8

Phone: 00353 1 6147000; email: wcu@hsa.ie

2.20.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Market surveillance activity for ATEX products is based on a reactive strategy arising from either complaints, accident investigations, as a result of workplace health and safety inspections or information from ATEX or ICSMS.

Economic operators are obliged to notify market surveillance authorities under the 2017 European Union (Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres) Regulations where they have reason to believe that their product is non-compliant and presents a risk.

The HSA notes that there was no ATEX ADCO committee meetings in 2019. RAPEX alerts are systematically monitored to identify any products that may be on the Irish market. ICSMS is used for research and information sharing.

Complaints and related follow-up actions (visits, phone calls, emails) are recorded on the Authority's internal database.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act or by regulations under the European Communities Act, as subsequently amended.

The Authority also makes information available through its website and through industry committees associated with agriculture, construction, road transport and chemicals.

2.20.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

No specific enforcement actions were undertaken in the last year.

2.21. Sector 16 Appliances burning gaseous fuels

2.21.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority (HSA), Metropolitan Building, James Joyce Street, Dublin 1. D01 K0Y8

Phone: 00353 1 6147000; email: wcu@hsa.ie

Any laboratory work is contracted out to third parties.

Note: The Competition and Consumer Protection Commission (CCPC) is also a market surveillance authority for GAD equipment (non commercial).

2.21.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Market surveillance activity for GAD products is based on a reactive strategy arising from either complaints, accident investigations, as a result of workplace health and safety inspections or information from RAPEX or ICSMS in relation to commercial/industrial equipment.

Complaints and related follow-up actions (visits, phone calls, emails) are recorded on the Authority's internal database.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act or by regulations under the European Communities Act, as subsequently amended.

The Authority also makes information available through its website and through industry committees associated with agriculture, construction, road transport and chemicals.

2.21.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

The HSA carried out market surveillance on a number of gas cookers and ovens suitable for restaurant kitchens. Non-compliance was found in 4 of the appliances examined. The non-compliance related to the markings on the appliances.

2.22. Sector 22./A Chemical substances under REACH and Classification and Labelling Regulations

2.22.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority (HSA), Metropolitan Building, James Joyce Street, Dublin 1. D01 K0Y8

Phone: 00353 1 6147000; email: wcu@hsa.ie

Any laboratory work is contracted out to third parties.

2.22.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Market surveillance activity for chemical products is based on a proactive strategy based around workplace and retail inspections (including desk based assessments) and a reactive strategy arising from complaints, accident investigations, referrals from workplace health and safety and chemical inspections or information from RAPEX or ICSMS.

Market surveillance campaigns are undertaken as part of the annual programme of work, including participation in an EU wide ECHA Forum coordinated project on chemical products sold on-line.

Complaints and related follow-up actions (visits, phone calls, e-mails) are recorded on the Authority's internal database.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act, the Chemicals Act 2008 and Chemicals Amendment Act 2010 and by regulations under the European Communities Act, as subsequently amended.

The Authority also makes information available through its website and through stakeholder committees associated with chemicals and chemical products.

2.22.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

In 2019, 337 product assessments were completed by inspectors assessing Safety Data Sheets (SDSs), labels and packaging of high priority substances and mixtures i.e. CMRs Cat. 1A and 1B, respiratory sensitizers and skin sensitizers. Assessments were also required for substances/mixtures used at the workplace.

As part of 196 REACH and CLP inspections, compliance with Annex XVII restriction requirements under REACH was assessed.

Industrial chemicals subject to Authorisation under Annex XIV of REACH were assessed. All substances were checked to ascertain whether they were subject to an authorisation application, exempt from authorisation, or in breach of the requirements of authorisation under REACH.

RAPEX alerts were monitored for non-compliance with REACH Annex XVII and CLP. A total of 51 relevant EU Rapex alerts (29% of all Rapex alerts posted) were assessed in 2019 and appropriate compliance follow-ups were completed. Following investigative checks, 47 of the products notified to RAPEX were not present on the IE market. Of the remaining alerts, the suppliers were contacted and the products were removed from the market.

A market surveillance campaign on chemical products sold on-line was undertaken. Complaints were followed up and referrals received both internally and from external stakeholders.

A Market Surveillance of Chemicals Unit was established within the Authority in 2019 to enforce market surveillance requirements of chemical products sold on the Irish market, including those sold to consumers under the REACH, CLP, Detergents and Export/Import Regulations.

2.23. Sector 22./B Other chemicals (Detergents, Paints, Organic Persistent Pollutants, Fluorinated greenhouse gases, Ozone Depleting Substances, etc.)

2.23.1. RESPONSIBLE AUTHORITY AND CONTACT DETAILS

Health and Safety Authority (HSA), Metropolitan Building, James Joyce Street, Dublin 1. D01 K0Y8

Phone: 00353 1 6147000; email: wcu@hsa.ie

Any laboratory work is contracted out to third parties.

2.23.2. MARKET SURVEILLANCE PROCEDURES AND STRATEGY

Market surveillance activity for detergents is based on a proactive strategy based around workplace and retail inspections (including desk based assessments) and a reactive strategy arising from complaints, accident investigations, referrals from workplace health and safety and chemical inspections or information from RAPEX or ICSMS.

Complaints and related follow-up actions (visits, phone calls, e-mails) are recorded on the Authority's internal database.

Enforcement powers and penalties are determined by the 2005 Safety, Health and Welfare at Work Act, the Chemicals Act 2008 and Chemicals Amendment Act 2010 and by regulations under the European Communities Act, as subsequently amended.

The Authority also makes information available through its website and through stakeholder committees associated with chemicals and chemical products.

2.23.3. REPORT FROM ACTIVITIES CARRIED OUT UNDER THE PREVIOUS PLANNING PERIOD

Inspectors checked the Detergents Regulations requirements with regard to packaging, labelling and provision of information for detergent products. In 2019, of the 196 inspections carried out, 24 companies supplying/using detergents were inspected. 10 of the 337 product assessments completed were carried out on detergent products.

ANNEX: REFERENCE LIST OF PRODUCT SECTORS

Product sectors	Relevant legislation ^{6 7}
1. Medical devices (including In vitro diagnostic medical devices and Active implantable medical devices)	Directives 93/42/EEC, 98/79/EC and 90/385/EEC
2. Cosmetics	Regulation (EC) 1223/2009
3. Toys	Directive 2009/48/EC
4. Personal protective equipment	Directive 89/686/EEC
5. Construction products	Regulation (EU) 305/2011
6. Aerosol dispensers	Directive 75/324/EEC
7. Simple pressure vessels and Pressure equipment	Directives 2014/29/EU and 2014/68/EU
8. Transportable pressure equipment	Directive 2010/35/EU
9. Machinery	Directive 2006/42/EC
10. Lifts	Directive 2014/33/EU
11. Cableways	Directive 2000/9/EC
12. Noise emissions for outdoor equipment	Directive 2000/14/EC
13. Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres	Directive 2014/34/EU
14. Pyrotechnics	Directive 2013/29/EU
15. Explosives for civil uses	Directive 2014/28/EU
16. Appliances burning gaseous fuels	Directive 2009/142/EC
17. Measuring instruments, Non-automatic weighing instruments, Pre-packaged products and Units of measurement	Directives 2014/32/EU and 2014/31/EU; Directives 2007/45/EC, 75/107/EEC, 76/211/EEC and Directive 80/181/EEC
18. Electrical equipment under EMC	Directive 2014/30/EU
19. Radio equipment (RED)	Directive 2014/53/EU

⁶ For ease of reference this table indicates established EU legislation. New legislation replacing that listed in the table should be also taken into account for the relevant period in which it is applicable.

⁷ For ease of reference in some cases (e. g. eco-design, energy labelling), this table only indicates EU framework legislation, but is intended to cover also product-specific EU legislative acts.

20. Electrical appliances and equipment under LVD	Directive 2014/35/EU
21. Electrical and electronic equipment under RoHS and WEEE and batteries	Directives 2011/65/EU, 2002/96/EC and 2006/66/EC
22./A Chemical substances under REACH and Classification and Labelling Regulations	Regulations (EC) 1907/2006 and 1272/2008/EC
22./B Other chemicals (Detergents, Paints, Organic Persistent Pollutants, Fluorinated greenhouse gases, Ozone Depleting Substances, etc.)	Regulation (EC) 648/2004, Directive 2004/42/EC, Regulation (EC) 850/2004, Regulation (EC) 842/2006 and Regulation (EU) 517/2014, Regulation (EC) 1005/2009
23. Eco-design and Energy Labelling	Directives 2009/125/EC and 2010/30/EU
24. Tyre labelling	Regulation (EC) 1222/2009
25. Recreational craft	Directive 2013/53/EU
26. Marine equipment	Directive 2014/90/EU
27. Motor vehicles and tractors	Regulation (EU) 168/2013; Directive 2007/46/EC; Regulation (EU) 167/2013
28. Non-road mobile machinery	Directive 97/68/EC
29. Fertilisers	Regulation (EC) 2003/2003
30. Other consumer products under GPSD (optional)	Directive 2001/95/EC
31. Biocides	Regulation (EU) 528 /2012
32. Textile and Footwear labelling	Regulation (EC) 1007/2011 and Directive 94/11/EC
33. Crystal glass	Directive 69/493/EEC
34. (Additional sectors – please specify)	