

***NATIONAL MARKET SURVEILLANCE  
PROGRAMME***

***2017***

***Norway***

## Contents

1. GENERAL MARKET SURVEILLANCE ORGANISATION AND INFRASTRUCTURE.....	4
1.1. Identification and responsibilities of national market surveillance authorities .....	4
1.2. Coordination and cooperation mechanisms between national market surveillance authorities .....	4
1.3. Cooperation between national market surveillance authorities and customs .....	6
1.4. Rapid information exchange system - RAPEX.....	7
1.5. ICSMS information system .....	7
1.6. General description of market surveillance activities and relevant procedures.....	8
1.7. General framework of cooperation with other Member States and non-member states .....	9
1.8. Evaluation of Market surveillance actions and reporting.....	9
1.9. Horizontal activities planned for the relevant period .....	9
2. MARKET SURVEILLANCE IN SPECIFIC SECTORS .....	9
2.1. Medical devices (including In vitro diagnostic medical devices and Active implantable medical devices).....	9
2.2. Cosmetics .....	11
2.3. Toys .....	12
2.4. Personal protective equipment .....	14
2.5. Construction products.....	16
2.6. Aerosol dispensers.....	18
2.7. Simple pressure vessels and Pressure equipment .....	19
2.8. Transportable pressure equipment.....	20
2.9. Machinery.....	21
2.10. Lifts     24	
2.11. Cableways.....	24
2.12. Noise emissions for outdoor equipment .....	25
2.13. Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres .....	26
2.14. Pyrotechnics .....	27
2.15. Explosives for civil uses .....	27
2.16. Appliances burning gaseous fuels .....	28
2.17. Measuring instruments, Non-automatic weighing instruments, Pre-packaged products and Units of measurement .....	29
2.18. Electrical equipment under EMC .....	30
2.19. Radio and telecom equipment under RTTE – RED .....	32
2.20. Electrical appliances and equipment under LVD .....	33

2.21. Electrical and electronic equipment under RoHS and WEEE and batteries	34
2.22. /A Chemical substances under REACH and Classification and Labelling Regulations.....	35
/B Other chemicals (Detergents, Paints, Persistent Organic Pollutants, Fluorinated greenhouse gases, Ozone Depleting Substances, etc.).....	37
2.23. Eco-design and Energy Labelling; Efficiency requirements for hot-boilers fired with liquid or gaseous fuels .....	38
2.24. Tyre labelling.....	39
2.25. Recreational craft.....	39
2.26. Marine equipment.....	40
2.27. Motor vehicles and Tractors .....	41
2.28. Non-road mobile machinery .....	42
2.29. Fertilisers .....	43
2.30. Other consumer products under GPSD (optional).....	43
2.31. Biocides .....	44
2.32. Textile and Footwear labelling .....	45
2.33. Crystal glass.....	46
2.34. Vehicles - energy labelling .....	46

## **1. GENERAL MARKET SURVEILLANCE ORGANISATION AND INFRASTRUCTURE**

### **1.1. Identification and responsibilities of national market surveillance authorities**

Regulation (EC) No 765/2008 is applicable to Norway through the EEA Agreement, and has been transposed by the Norwegian law "EØS-vareloven" under the responsibility of the Ministry of Trade, Industry and Fisheries. The sector product legislation falling under the scope of 765/2008 is also included in the EEA agreement and transposed into Norwegian law. The responsibility at national level for the product legislation, and market surveillance, is divided between the following ten ministries:

- Ministry of Agriculture and Food
- Ministry of Children, Equality and Social Inclusion
- Ministry of Climate and Environment
- Ministry of Health and Care Services
- Ministry of Justice and Public Security
- Ministry of Labour and Social Affairs
- Ministry of Local Government and Modernisation
- Ministry of Petroleum and Energy
- Ministry of Trade, Industry and Fisheries
- Ministry of Transport and Communications

Under these ministries, the day to day market surveillance is carried out by 14 market surveillance authorities (MSAs). responsible for different sector-specific legislation. Some of the sector-specific legislation falls under the responsibility of more than one authority. The authorities involved clarify between them how market surveillance should be carried out in these areas.

### **1.2. Coordination and cooperation mechanisms between national market surveillance authorities**

National market surveillance authorities are cooperating on a regular basis through three permanent networks.

#### *The Market Surveillance Council*

The Market Surveillance Council, chaired by Ministry of Trade, Industry and Fisheries, has representatives from the ten ministries listed above. The Ministry of Finance, responsible for the customs authority, participates when needed. The Council normally meets twice a year. Market surveillance authorities under the ministries being a member of the Council, including members of the RAPEX network and the industrial products network, referred to below, may be invited to meetings. Each ministry being a member of the Council has the responsibility to coordinate the two way flow of information between its own market surveillance authorities and the Council.

In the spring of 2016 one meeting took place in the form of a seminar with representatives from the Council and market surveillance authorities focusing on enforcement on relevant EEA law on goods. Another meeting took place in November 2016. A similar seminar and meeting is planned in 2017.

The role of the Council is to contribute to an efficient and proportionate market surveillance of products in Norway and in the EEA, and to promote national and cross border cooperation in market surveillance, including cooperation with customs authorities. It also coordinates reporting obligations under Regulations 764/2008 and 765/2008, and the elaboration of national market surveillance programs. Its role is furthermore to contribute to efficient use of RAPEX and ICSMS.

The Council has a coordinating and information sharing role, and can make no binding decisions on the ministries being members of the Council and the authorities under these ministries. It is a challenge to find the right way of working to achieve the objectives of its mandate.

The establishment of the Council did not change the distribution of responsibilities for market surveillance. The Ministry of Trade, Industry and Fisheries has a coordinating role in market surveillance of products, as responsible for the law transposing Regulation 765/2008. However, the legal basis for transposing EEA sector product legislation in Norway, and thus for market surveillance of products, is spread on several laws, including the Product Control Act which also transposes the General Product Safety Directive. The Product Control Act falls under the main responsibility of the Ministry of Justice and Public Security and the Ministry of Climate and Environment.

#### *The RAPEX network*

The national RAPEX network consists of Norwegian authorities responsible for market surveillance of products and the authority in charge of external border control. For further details, see point 1.4.

The Norwegian Directorate for Civil Protection (DSB) is chairing the RAPEX network. The network deals with “traditional” RAPEX issues according to the RAPEX Guidelines, i.e. exchange of experiences on how the individual authority is following up RAPEX notifications and reactions, statistics, training and information and news from the EU Commission.

Furthermore, the network deals with more general matters related to market surveillance of goods, such as exchange of best practices, exchange of results of surveillance activities, enforcement issues, information on coming and ongoing Prosafe Joint Actions, on line sales, etc. The network is also consulted on new legislative proposals such as the Product Safety and Market Surveillance Package, and other market surveillance issues discussed within EU/EFTA. The network usually meets 1-2 times per year.

#### *The Industry Product network*

The Industry Product network covers areas of the EEA harmonised sector product legislation regarding products used by industry, and comprises representatives from the Directorate for Civil Protection, the Norwegian Labour Inspection Authority, the Petroleum Safety Authority Norway and the Norwegian Building Authority as permanent members. Other players – such as other government agencies affected, industry associations, national employer organisations and unions, and so forth – are involved as and when required.

The network is used as a resource by the respective government agencies, and has no decision-making authority. The network uses a team-based approach, but has appointed a leader. The network deals primarily with products used by industry, such as pressure

equipment, simple pressure vessels, machinery, personal protective equipment, ATEX equipment, construction products and so forth, but has interfaces with consumer products and chemicals.

The objectives of the industrial product network are to achieve a uniform understanding of, application of and approach to the EEA product safety legislation and to market surveillance, both internationally and nationally, and to contribute to rational and effective arrangements for good national coordination at government level. A further objective is to promote the significance of well-functioning market surveillance in securing equal competitive terms as well as health, safety and the environment.

An extensive mandate has been drawn up for the network. The network deals with market surveillance cases, follow-up of existing and future operating parameters, follow-up of Notified Bodies and, not least, the exchange of information between government agencies and others. The network has not changed the division of responsibility or collaboration in the established networks linking market surveillance authorities.

The network meets on a quarterly basis, and otherwise as and when required. Collaboration is also pursued through a dedicated internet site.

### **1.3. Cooperation between national market surveillance authorities and customs**

The Norwegian Customs Authorities performs the coordinated border management (CBM) in Norway. Customs inspects imported goods on all aspects of product safety on behalf of the above mentioned MSAs in addition to other surveillance regimes such as food safety and phytosanitary measures. The Norwegian Customs performs border management on behalf of more than 25 MSAs.

The type of cooperation varies in accordance with the regularity of the specific goods and the organisational structure of the MSAs whether there is a cooperation on regional level or central/national cooperation. Customs have cooperation agreements with the most central MSAs and are in the process of distributing MOUs to the less central MSAs.

Customs have annual top-level meetings with those MSA's where there is a cooperation agreement. These annual meetings outlines annual plans for the cooperation and discuss joint control actions and participation in international control actions. Central contact person(s) are designated and both central and regional level of Customs will use the contact(s).

If there is a regional level of the MSA a regional contact(s) is designated. If the MSA covers more than one sector, there will be contacts points for each product sector.

The cooperation agreements also foresee the establishment of working groups to execute the plans and oversee the cooperation. The working groups normally meets biannually and else when needed.

The cooperation with the MSA with a less frequent interaction with the Customs is more ad hoc based. Customs try to establish a network of contact persons and hopes that with the establishment of MOUs with all relevant MSA, Customs will be able to work more efficient in these areas.

#### 1.4. **Rapid information exchange system - RAPEX**

The Norwegian Directorate for Civil Protection (DSB) is the national RAPEX contact point in Norway. The following authorities participate in the national RAPEX-network: the Building Authority (NBA), the Environment Agency, the Food Safety Authority (NFSA), the Labour Inspection Authority, the Norwegian Maritime Authority, the Norwegian Communications Authority (Nkom), the Public Roads Administration, the Metrology Service, the Railway Authority, the Radiation Protection Authority (NRPA), The Norwegian Customs Information Centre, the Directorate of Customs and Excise and the Directorate for Civil Protection (DSB).

17 notifications have been generated by Norwegian authorities in 2016 (on 15 November). The products represented are within the areas of toys, hobby/sports equipment, clothing/textiles and fashion items. The relevant risk categories are chemical, burns/fire, damage to hearing and environment.

The number of reactions from Norwegian authorities in 2016 are 192. The most represented category is indeed motor vehicles with a total number of 163. The other 29 reactions are within the product areas jewellery, hobby/sports equipment, electrical appliances and equipment, decorative articles, kitchen/cooking accessories, gas appliances, furniture, protective equipment, communication/media equipment, toys, childcare articles, clothing and "other".

#### 1.5. **ICSMS information system**

Responsible authorities for ICSMS in Norway:

- National administrator: Norwegian Metrology Service
- National contact point: The Ministry of Trade, Industry and Fisheries

The following authorities have access to ICSMS in Norway:

- Labour Inspection Authority (Arbeidstilsynet)
- Norwegian Food Safety Authority (Mattilsynet)
- Norwegian Building Authority (Direktoratet for Byggkvalitet)
- Norwegian Directorate for Civil Protection (Direktoratet for Samfunnssikkerhet og Beredskap)
- Norwegian Environment Agency (Miljødirektoratet)
- Norwegian Metrology Service (Justervesenet)
- Norwegian Communications Authority (Norsk Kommunikasjonsmyndighet)
- Norwegian Maritime Authority (Sjøfartsdirektoratet)
- Norwegian Medicines Authority (Statens Legemiddelverk) Agency
- Norwegian Public Roads Administration (Vegdirektoratet)
- Norwegian Railway Authority (Statens Jernbanetilsyn)
- Norwegian Water Resources and Energy Directorate (Norges Vassdrags- og Energidirektorat)
- Petroleum Safety Authority (Petroleumstilsynet)
- Ministry of Trade, Industry and Fisheries

All market surveillance authorities which are obligated to use ICSMS in Norway, received training in using the database between September 2013 and January 2014. All

authorities also received access to ICSMS from the same time. The Norwegian metrology service also arranged training in using ICSMS in September 2015.

The database is still not fully taken into use in Norway. However, the use is increasing and 38 cases have been registered in 2015. About a quarter of the cases are from the Norwegian Communications Authority, while the Norwegian Food Safety Authority and the Norwegian Building Authority have also used the database to some extent.

The Norwegian Building Authority started using ICSMS information system late in 2014 and has increased its use in 2016. The ADCO-group for construction products has devised an input mask for construction products, which should be operational during 2016. The absence of specific input masks for construction products has contributed to the limited use of ICSMS for construction products.

The Norwegian Metrology Service has received information that some authorities intentionally do not use ICSMS, as they do not have the resources to put the same information in different databases, ie. RAPEX, possible national database and other European databases especially designed for specific products.

1.6.

#### 1.7. **General description of market surveillance activities and relevant procedures**

Historically there has been no general approach to market surveillance activities in Norway.

Regulation 765/2008 came into force in April 2013, transposed by "EØS-vareloven". With regard to market surveillance activities in the harmonised area, the horizontal provisions on market surveillance apply alongside the laws and regulations transposing EEA product sector legislation. Market surveillance activities in the non-harmonized area are governed by the Product Control Act implementing the GPSD, and national product legislation.

Regulation 765/2008 and the European Commission's follow up has been an inspiration to identify the potential for better cooperation between ministries and authorities and better coordination between actions and reactions. This is part of the focus of the three networks described above. There is still room for improvement and the work continues.

The approach to market surveillance in Norway is both proactive (i.e. controls on the basis of risk assessment) and reactive (i.e. controls on the basis of complaints, accidents and incidents, RAPEX notifications and notifications on voluntary measures from economic operators).

Consumers may report potential dangerous consumer products to the market surveillance authorities (according to an online "notice of concern" system). If the concern seems justified, the market surveillance authorities will follow up towards the economic operator, and make sure that corrective actions are taken when necessary.

Information on products presenting a serious risk is published on the website of the responsible authorities. In extraordinary cases, the market surveillance authorities have alerted consumers via newspapers and other media such as radio or TV.

There is no common database for national accidents and injuries.

The authorities have a number of different possibilities of sanctions at their disposal, from administrative measures such as deciding on prohibition of sales, corrections, withdrawals, recalls, payments of penalties and sanction fees to penal measures. e.g. fines.

#### **1.8. General framework of cooperation with other Member States and non-member states**

Norway cooperates with Member States and non-member states on sector specific levels through participation in ADCO-groups, various Nordic working groups etc. There is also informal bilateral cooperation with MSAs in other countries on different issues.

#### **1.9. Evaluation of Market surveillance actions and reporting**

There is no horizontal plan for evaluation of market surveillance actions in Norway. However, there are evaluations and reporting carried out regarding market surveillance within various sectors.

#### **1.10. Horizontal activities planned for the relevant period**

A Market Surveillance Council workshop for surveillance authorities and ministries is planned for spring 2017.

The Good Practice Guide for Market Surveillance created by a Task Force commissioned by the ADCO Chairpersons group, is on track for completion by the end of 2016. The Task Force, chaired by the Petroleum Safety Authority, has created a plan for dissemination in 2017.

## **2. MARKET SURVEILLANCE IN SPECIFIC SECTORS**

### **2.1. Medical devices (including In vitro diagnostic medical devices and Active implantable medical devices)**

#### *2.1.1. Responsible authority and contact details*

Directorate of Health  
PO Box 7000 St. Olavs plass 0130 Oslo Norway  
Tel: +47 24 16 3000 - fax:+47 24 16 30 21  
e-mail: meddev-no@helsedir.no - [www.helsedirektoratet.no](http://www.helsedirektoratet.no)

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – [www.dsb.no](http://www.dsb.no)

The Directorate of Health is responsible for medical devices, except electrical medical devices.

The staff resources allocated to market surveillance activities consists of a total of seven full time staff positions.

The Norwegian Directorate for Civil Protection (DSB) is responsible for electrical medical devices, systems and accessories.

Resources are limited to a small group working with safety of electrical medical devices in hospitals. No in-house laboratories.

#### *2.1.2. Market surveillance procedures and strategy*

The procedures for market surveillance activities within the medical device sector are based on the EU guidance available from the EU Commission, known as MEDDEVs.

Procedures for registration and follow-up of complaints include electronic registration and procedures to review and identify appropriate actions.

The Directorate of Health participates in all the relevant EU Commission Working Groups for medical devices, specifically the Compliance and Enforcement Group (COEN) for market surveillance and the Vigilance Working Group for adverse event/incident reporting.

The European system for the notification and evaluation of incidents and Field Safety Corrective Actions (FSCA) involving medical devices, known as the Medical Device Vigilance System, is implemented into national procedures for monitoring of incidents.

An EU Guidance document for market surveillance activities is under development by COEN, outlining guidance for a risk based approach accompanied by procedures and criteria for priorities and activities.

The strategy to be followed for 2017 is based on the same mentioned principles.

For 2017, the Directorate of Health will continue the participation in the Joint Market Surveillance Actions on medical devices intended to be re-sterilised, and also engage as collaborating partner in the Joint Action Market surveillance of medical devices - WP 4 Manufacturer inspection, starting end 2016.

The Directorate of Health participates in a Nordic cooperation group where meetings are held annually.

In addition, the Directorate of Health cooperates with the national customs authorities during the annual international Operation Pangea as well as on a case-by-case basis throughout the year.

DSB's market surveillance activities are performed mainly reactive, based on reports from accidents through national reporting system and reports from economical operators or other national authorities through the Vigilance system for medical devices. Proactive activity is performed by system auditing of economical operators.

The Directorate of Health and DSB cooperate in this sector.

#### *2.1.3. Report from activities carried out under the previous planning period*

The Directorate of Health carried out activities in all areas described in the previous sectoral national market surveillance programme. The areas covered were dental devices, IVD medical devices including laboratory developed tests and reusable and re-sterilisable

medical devices (instructions for use). A number of medical devices from different categories were monitored based on complaints and/or incidents as well as a result of the co-operation with the customs authorities.

The Directorate of Health participated in the international Operation Pangea VIII in June 2016.

DSB has no report available for 2016.

## 2.2. Cosmetics

### 2.2.1. Responsible authority and contact details

Norwegian Food Safety Authority  
Felles postmottak, P.O.Box 383, NO-2381 Brumunddal, Norway  
Tel: +47 22 40 00 00  
e-mail: [postmottak@mattilsynet.no](mailto:postmottak@mattilsynet.no) - [www.mattilsynet.no](http://www.mattilsynet.no)

The Norwegian Food Safety Authority is the responsible authority for implementing the regulations and carrying out market surveillance on cosmetics. At the main office, there are approximately 2 FTEs (full time equivalent) on cosmetics that work on such as regulatory development and planning and facilitation of market surveillance. In addition, there are several inspectors who have cosmetics as part of their market surveillance portfolio.

### 2.2.2. Market surveillance procedures and strategy

The Norwegian Food Safety Authority does risk-based market surveillance. The focus on categories of cosmetics and type of establishments changes normally for each year. For the following year we will focus on documentation. When a cosmetic product is placed on the market, the “responsible person” shall keep a product information file (PIF) for it. The product information file contains among others the cosmetic product safety report. The responsible person shall, prior to placing a cosmetic product on the market, ensure that the cosmetic product has undergone a safety assessment on the basis of the relevant information and that a cosmetic product safety report is set up in accordance with the current legislation.

The Norwegian Food Safety Authority has established annual programs for surveillance and control (OK – programs). The program encompasses chemical analysis, performed at contracting laboratories. The aim is to check compliance with current regulations, to identify emerging risks, to collect data for further risk assessments or to form a knowledge base for the development of legislative procedures. For 2017 the Norwegian Food Safety Authority will perform analysis on carcinogenic and/or sensitizing aromatic amines in hair dye products.

The Norwegian Food Safety Authority has established a cosmetovigilance system. The aim is to detect undesirable effects of cosmetic products. Health personnel such as doctors, dentists, health visitors and pharmacists are obliged to report undesirable effects of cosmetics. The Norwegian Institute of Public health registers and assesses the reported undesirable effects on behalf of Norwegian Food Safety Authority. In 2015 we received 212 reports. A new online application intended for consumers was launched 26 May 2015. Consumers are now able to report any undesirable effects of cosmetics by

themselves and no longer have to see health personnel in order to do so. Of the 212 notifications received in 2015, 56 came directly from the consumers.

The Norwegian Food Safety Authority and the Norwegian Environment Agency collaborate on providing information to consumers on substances in consumer products, such as cosmetics. This information is to be found on the following website, [www.erdetfarlig.no](http://www.erdetfarlig.no). The Norwegian Food Safety Authority also publishes relevant information at [www.mattilsynet.no/kosmetikk/](http://www.mattilsynet.no/kosmetikk/)

### *2.2.3. Report from activities carried out under the previous planning period*

In 2016 The Norwegian Food Safety Authority carried out a market surveillance program on cosmetics, focusing on tattoo products and glues used for application of false nails and false eyelashes. The analyses being performed are still undergoing and thus a report is not yet available.

## **2.3. Toys**

### *2.3.1. Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: [postmottak@dsb.no](mailto:postmottak@dsb.no) – [www.dsb.no](http://www.dsb.no)

Norwegian Environment Agency  
Postboks 5672 Sluppen, 7485 Trondheim  
Tel: 03400 / 73 58 05 00 - Fax: 73 58 05 01  
e-mail: [post@miljodir.no](mailto:post@miljodir.no); [nettredaksjon@miljodir.no](mailto:nettredaksjon@miljodir.no) - [www.miljodirektoratet.no](http://www.miljodirektoratet.no)

### *2.3.2. Market surveillance procedures and strategy*

Directorate for Civil Protection (DSB)

Resources at disposal in the Directorate for Civil Protection (DSB) is less than a full-time equivalent. We have no in-house laboratories.

DSB works in several arenas and with a range of preventive measures to ensure that toys on the market are safe and that the economic operators recognise their responsibilities when placing products on the market. DSB cooperates with the Norwegian Environment Agency, as they are responsible for environmentally properties of toys.

Toys have also been part of so-called multi importer audits, i.e. controls of larger importers having a wide range of consumer products in their portfolio. Furthermore, DSB has for several years attended Prosafe Joint Actions for toys.

Reactive controls constitute however the bulk of controls in the toys area. These controls are mainly based on national incidents, national notifications regarding voluntary measures from economic operators, RAPEX notifications from other EEA States and concerns or complaints the authority receives from the consumers.

DSB makes frequently use of information campaigns on the safety of toys. These may be seasoned based as e.g. Christmas campaigns and Halloween campaigns, and are distributed via social medium as Twitter and Facebook. Information on the safety of toys is also to be found on [www.sikkerhverdag.no](http://www.sikkerhverdag.no) and [www.farligeprodukter.no](http://www.farligeprodukter.no).

DSB has during the last decade, in cooperation with the Norwegian Environment Agency, arranged several seminars for the importers of toys, focusing on their responsibilities when placing toys on the market. Toys are also on the agenda of a Nordic Product Safety Forum – a forum between the five Nordic States which meets annually to exchange inter alia plans for market surveillance.

#### The Norwegian Environment Agency

The Norwegian Environment Agency is the responsible authority for chemical properties of toys. The agency inspects importers and suppliers/distributors of toys, and performs spot checks of products placed on the market, proactively based on risk assessment of the companies and the products they import. The inspectorate also register and follow up complaints (reactive), and ensure corrective actions if needed.

The Norwegian Environment Agency collaborates with The Customs Authority, which controls goods regularly at the border due to formal non-compliance or suspicion of counterfeit products, to prevent non-compliant products to be placed on the market. The Norwegian Environment Agency also cooperates with DSB. Together we have arranged seminars for importers of toys, with a focus on importer`s responsibilities when placing toys on the market. We also conduct coordinated inspections.

If there is detected any restricted or banned substance in toys placed on the Norwegian market, The Norwegian Environment Agency will issue a sales ban, and will consider withdrawal/recall of product(s) according to RAPEX guidelines. We may also impose the offender to send out a public warning. Depending on the circumstances, we may report the offence to the Police. If the proper documentation is not in order, we issue an import or sales ban until the documentation is in compliance.

The Norwegian Environment Agency can decide to ban production, import, placing on the market and use of products in accordance with article 4 of the Product Control Act when this is necessary to prevent products causing health or environmental hazards. In addition, a temporary ban on production, import, placing on the market and use can be imposed in some special cases as stipulated in the Product Control Act, article 6. If there is an unacceptable risk that a product will cause health or environmental hazards, the Norwegian Environment Agency can impose measures to ensure that this risk is reduced, by for instance decide that the products shall be withdrawn from the market, or render the product harmless in accordance with article 6a of the Product Control Act.

The Norwegian Environment Agency may impose coercive fines (article 13 of the Product Control Act). A coercive fine can be imposed on any kind of offences. Coercive fines are not considered a penalty or punishment but are used as measures to ensure that the regulations or decisions made pursuant to them are complied with.

#### *2.3.3. Report from activities carried out under the previous planning period*

Norwegian Directorate for Civil Protection (DSB)

In 2016, DSB carried out 3 reactive controls on toys all performed as a follow up to decision made by the customs to suspend the release of products checked at the border and a large amount of different toys were not allowed to be placed on the market, on the reason that they did not comply with the legislation. This aside, our controls are mainly performed as a follow up of RAPEX notifications and national notifications regarding voluntary measures from economic operators, or due to written concerns from the consumers.

#### Norwegian Environment Agency

Inspections indicate that larger companies with well-known brands have good control/management systems for ensuring safe toys being placed on the market. Smaller companies importing directly from Asia have few mechanisms and lack of documentation control to ensure that imported toys are safe, and do not contain hazardous substances. Spot checks of toys on the market show that most comply with the regulation, however a minor fraction of the toys lack CE-marking, especially those detained by the Customs Authority.

The Norwegian Environment Agency participated in the Prosafe Joint Action on Toys (noise from toys). The agency will also participate in the next Joint Action on Toys, which started in 2016 (soft plastic toys).

The Norwegian Environment Agency has submitted 3 RAPEX notifications and registered 1 reaction to RAPEX-notifications on toys. We continuously monitor incoming notifications. We also follow up business application notifications from companies and consumer complaints.

## 2.4. Personal protective equipment

### 2.4.1. *Responsible authority and contact details*

Labour Inspection Authority  
Postboks 4720 Sluppen 7468 Trondheim  
Tel: 815 48 222 - Fax: 73 19 97 01  
e-mail: [post@arbeidstilsynet.no](mailto:post@arbeidstilsynet.no) – [www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: [postmottak@dsb.no](mailto:postmottak@dsb.no) – [www.dsb.no](http://www.dsb.no)

Petroleum Safety Authority Norway  
Professor Olav Hanssens vei 10, 4021 Stavanger  
Tel: + 47 51 87 32 00 – Fax: + 47 51 87 15 26  
e-mail: [postboks@ptil.no](mailto:postboks@ptil.no) – [www.ptil.no](http://www.ptil.no)

#### 2.4.2. Market surveillance procedures and strategy

The Norwegian Directorate for Civil Protection (DSB) is the national public authority for Personal Protective Equipment (PPE) for non-professional use. Resources at our disposal is a half-time equivalent. We have no in-house laboratories.

DSB's approach to market surveillance of PPE is risk based, and focuses on preventive measures to ensure that PPEs on the market are safe and that the economic operators recognise their responsibilities when placing products on the market. DSB cooperates with the Norwegian Labour Inspection Authority, as they are responsible for PPEs for professional use and for use in a place of work.

DSB usually plan for one annual control of PPE (proactive), based on risk assessments and experience with possible dangerous PPEs on the market. This control may be part of so-called multi importer audits, i.e. controls of larger importers having a wide range of consumer products in their portfolio. As DSB is also responsible for the safety of consumer services, PPEs (e.g. climbing equipment, and helmets) may be part of our surveillance of consumer services. DSB has attended Prosafe Joint Actions for PPEs.

Reactive controls constitute however the bulk of controls in the PPE area. These controls are mainly based on national incidents, national notifications regarding voluntary measures from economic operators, notifications from the Norwegian Customs, RAPEX notifications from other EEA States and concerns or complaints the authority receives from the consumers.

DSB makes frequently use of seasoned based information campaigns on the safety of PPEs for non-professional use, e.g. for safety vests during summer and reflective products during winter. These campaigns are distributed via social medium as Twitter and Facebook. Information on the safety of PPEs is also to be found on [www.sikkerhverdag.no](http://www.sikkerhverdag.no) and [www.farligeprodukter.no](http://www.farligeprodukter.no).

DSB takes part in a Nordic cooperation which meets twice a year to discuss issues concerning PPE. The group exchange experiences on market surveillance and legal issues and discuss action points from the EU PPE Working group and Adco meetings.

For 2017 DSB plan to participate in a PROSAFE Joint Action market surveillance project on climbing equipment.

The Labour Inspection Authority has the responsibility of Personal protective equipment (PPE) used at professional work place.

Marked surveillance is based on reported accidents involving PPE, questions regarding conformity from inspectors, and notifications in ICSMS and RAPEX. The Nordic PPE meetings give input to priorities or joint Nordic actions. Follow up actions and inspections by Labour Inspection Authority are based on risk assessments.

Inspections focuses on formal documentation of conformity, normally including CE – marking, declaration of conformity, EC type examination certificate, user information, marking on product and packaging.

The Petroleum Safety Authority Norway (PSA) is responsible for market surveillance of personal protective equipment (PPE) used at work within its area of responsibility.

The PSA pursues both proactive and reactive market surveillance activities based on a risk assessment approach.

PSA applies the initiating authority principle based on good practice within the machinery and PED sector. This approach has proved to be efficient and effective at meeting the objectives and requirements of the legal framework for MS.

For further explanation, see point 2.9. – this explanation covers all the sectors within our area of responsibility.

#### *2.4.3. Report from activities carried out under the previous planning period*

In 2016 DSB conducted a market inspection on non-professional inflatable lifejackets. 33 inflatable lifejackets were selected from the Norwegian market. All were subject to a visual inspection. Subsequently, 18 of the vests were forwarded for testing and further inspection by a Notified body. The preliminary review shows that the labelling and the user guide varies. A discrepancy uncovered on several of the vests was that CO2 container screwed out during testing. DSB will follow up on this matter in cooperation with the industry and by supporting the Swedish market surveillance authorities' proposal to revise the relevant harmonised standard. DSB are now working to prepare a final report of the audit and follow up any discrepancies revealed by the various market participants.

The Labour Inspection Authority can report the following activities in 2016.

- Postal inspections of selected warehouses marketing PPE on internet. Focus on products with importers own brand name.
  - Formal conformity inspection
  - Inspection of importers routine for conformity control
- Follow up notifications from RAPEX and ICSMS.
- Participating in ADCO PPE, WG PPE and in “Nordic PPE” meetings.
- Guiding interest organisations

The PSA has no report to make for 2016.

## **2.5. Construction products**

### *2.5.1. Responsible authority and contact details*

National Building Authority  
Postboks 8742 Youngstorget 0028 Oslo  
Tel: 22 47 56 00  
e-mail: post@dibk.no – www.dibk.no

### *2.5.2. Market surveillance procedures and strategy*

The surveillance activities of construction products focus both on documentation control and testing of the performances of construction products on the Norwegian market. The market surveillance of construction products is carried out both in a proactive and reactive way. An important part of the strategy of market surveillance of construction

products is to strike an appropriate balance between proactive and reactive market surveillance in order to ensure that the market of construction products is properly controlled. Market surveillance is based on internal procedures, developed according to Regulations 764/2008 and 765/2008, including the use of ICSMS.

The surveillance of construction products always includes document control. When deemed relevant, testing of construction products is undertaken and subcontracted to laboratories. In 2016, the Norwegian Building Authority entered into a (non-exclusive) framework agreement with three laboratories. The aim is to ensure available testing capacity and other assistance in surveillance as well as to reduce the administrative burden and costs of choosing a separate laboratory for each testing. It will also allow for testing of construction products in the framework of reactive surveillance.

The market surveillance of construction products is mainly risk-based. The Norwegian Building Authority uses two risk assessment methods. One risk assessment method focuses on the risk of failure at the *documentation level* and is therefore used for targeting which products should be subjected to market surveillance. The other risk assessment method focuses on the risk at the *product level* and categorises the risk of a deviation of the construction products' performance in relation to the basic work requirements described in the Construction Product Regulation when testing shows a deviation between the declared performances and the performances that are tested on behalf of the Norwegian Building Authority. These risk assessment methods are used for both proactive and reactive market surveillance.

There is also three other specific features of the market surveillance of construction products in Norway. First, suspicion of illegal sales, marketing or use of construction products in Norway can be lodged on a specific webpage available on the Norwegian Building Authority's website. The name of the complainant is confidential information, and not disclosed. Secondly, the Norwegian Building Authority conducts market analysis prior to proactive surveillance to get an overview of the market of products under surveillance, and to carry out its market surveillance in an effective way. Thirdly, the Norwegian Building Authority meets regularly with stakeholders to discuss various problems regarding surveillance of construction products in Norway, and to adapt its surveillance with the stakeholders' feedback. This is important since surveillance is also about fair competition between economic actors.

Regarding cooperation with other national authorities, the Norwegian Building Authority works closely with the market surveillance authorities that are members of the RAPEX-network and the Industry Product Network, further described above in this market surveillance programmes.

In 2017, the Norwegian Building Authority will prioritize the market surveillance higher. The aim is to achieve an active surveillance, covering a significant number of products. In addition, the Authority aims to increase the visibility of the surveillance activities by communicating the activities as well as the results to the public and industry. Furthermore, information measures to the end user of construction products will be put in place, in order to ensure greater understanding of product documentation. This in turn will increase the demand for and subsequent use of product documentation in building projects. Finally, the Authority will continue to enhance the surveillance of construction products used in building works by the Norwegian municipalities, which are the local building authorities responsible for surveillance in the building projects. The Norwegian municipalities must report to the Norwegian Building Authority of any non-compliance

of construction products on the construction site. These cases will be treated both by the Norwegian Municipalities and the Norwegian Building Authority.

### 2.5.3. *Report from activities carried out under the previous planning period*

The table below describes the numbers relevant for market surveillance activities for 2015 and 2016 (numbers by November 2016):

	2015	2016
Number of complaints	50	52
Number reactive surveillance	56	38
Proactive surveillance	195	213
Follow-up cases from previous year	10	43
Number of cases closed	53	120

The Norwegian Building Authority has by and large followed the plan described in the 2016 programme. Proactive surveillance is the main strategy for the surveillance of construction products. Surveillance of some of the products started in 2016 will continue in 2017.

## 2.6. **Aerosol dispensers**

### 2.6.1. *Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – www.dsb.no

### 2.6.2. *Market surveillance procedures and strategy*

The Directorate for Civil Protection's (DSB's) approach to market surveillance of aerosol dispensers is risk and event based, and we focus on reactive measures to ensure that aerosol dispensers on the market are safe and that the economic operators recognise their responsibilities when placing products on the market.

Reactive controls therefor constitute the bulk of controls in the aerosol dispensers area. These controls are mainly based on national incidents, national notifications regarding voluntary measures from economic operators, RAPEX notifications from other EEA States and concerns or complaints the authority receives from the consumers/public.

DSB also cooperate regularly with the other Nordic authorities in questions relating to safe aerosol dispensers and the handling of them.

### *2.6.3. Report from activities carried out under the previous planning period*

So far, there are no incidents as far as DSB know on this area except for one improper use of an aerosol dispenser filled with pure butane gas some years ago.

## **2.7. Simple pressure vessels and Pressure equipment**

### *2.7.1. Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: [postmottak@dsb.no](mailto:postmottak@dsb.no) – [www.dsb.no](http://www.dsb.no)

Petroleum Safety Authority Norway  
Professor Olav Hanssens vei 10, 4021 Stavanger  
Tel: + 47 51 87 32 00 – Fax: + 47 51 87 15 26  
e-mail: [postboks@ptil.no](mailto:postboks@ptil.no) – [www.ptil.no](http://www.ptil.no)

Directorate for Civil Protection (DSB) and Petroleum Safety Authority Norway (PSA) are the national public authorities for the Pressure Equipment Directive (PED). DSB is the national public authority for the Simple Pressure Vessels Directive (SPVD).

Resources at DSB's disposal is a full-time equivalent. DSB has no in-house laboratories.

PSA is the responsible market surveillance authority for this sector within its area of responsibility

### *2.7.2. Market surveillance procedures and strategy*

DSB's approach to market surveillance of Pressure Equipment is risk based, and we focus on preventive measures to ensure that Pressure Equipment on the market are safe and that the economic operators recognise their responsibilities when placing products on the market. DSB cooperates to an great extent with the Petroleum Safety Authority, as they are responsible for Pressure Equipment Directive as well.

DSB usually plan annual control of Pressure Equipment (proactive), based on risk assessments and experience with possible dangerous Pressure Equipment on the market. This control may be part of so-called multi importers/producers controls, i.e. controls of larger importers and other economic operators.

Reactive controls constitute however the bulk of controls in the Pressure Equipment area. These controls are mainly based on national incidents, national notifications regarding voluntary measures from economic operators, RAPEX notifications from other EEA States and concerns or complaints the authority receives from the consumers/public.

PSA and DSB apply the initiating authority principle based on good practice within the machinery and PED sector. This approach has proved to be efficient and effective at meeting the objectives and requirements of the legal framework for MS.

PSA pursues both proactive and reactive market surveillance activities based on a risk assessment approach.

For further explanation see point 2.9 – this explanation covers all the sectors within PSA's area of responsibility.

### *2.7.3. Report from activities carried out under the previous planning period*

In 2016 DSB did not carry out control on Pressure Equipment. At the moment we are planning for activities in 2017.

However, DSB continuously controls pressure equipment used/owned by operators, which come under the DSBs consents regime for handling dangerous substances.

Where the PSA has looked at products subject to the Machinery Directive which are also covered by PED, the PSA has checked compliance (documentation check) with that directive at the same time.

## **2.8. Transportable pressure equipment**

### *2.8.1. Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – www.dsb.no

### *2.8.2. Market surveillance procedures and strategy*

Our national market for pressure receptacles (gas bottles) is characterized by only one producer and only a few types of receptacles being imported. Larger transportable pressure equipment are often built abroad on a one by one basis based on specifications from the Norwegian importer. Until recently, Norway did not have any notified bodies, so all type approvals, conformity assessments and conformity markings have been made by foreign inspection bodies. However in 2016 the Directorate for Civil Protection has notified the first inspection body in this area of work and others will follow.

The notified bodies will be monitored by DSB and the national accreditation body (Norsk Akkreditering). Otherwise, we do not plan any proactive actions directly according to this directive. Some indirect proactive actions will take place. When a vehicle is subjected to inspection for an ADR approval in Norway, any mounted transportable pressure equipment on the vehicle is checked for conformity and conformity marking by routine. The transport of dangerous goods regulation, which is directly related to the TPED directive, will be frequently checked, both by audits from the DSB and by road side checks from the police and the public road authority. Reactive actions will take place. Incidents/accidents involving transportable pressure equipment are monitored by DSB, reporting is mandatory for enterprises, and may result in investigations and actions.

The transportable pressure directive (2010/35) is using the regulations of the international transport of dangerous goods found in ADR and RID as its underlying technical

regulation. DSB take part in the development of these technical regulations by taking part in the ADR/RID joint meeting where the technical provisions for transportable pressure equipment are developed and we also take part in the working group for tanks of this joint meeting. DSB also take part in the UN subcommittee of experts on the transport of dangerous goods which also is responsible for developing some of the regulations which is referred in directive 2010/35. We plan to take part in any TPED ADCO meeting in 2017.

### *2.8.3. Report from activities carried out under the previous planning period*

DSB have joined the meeting in the TPED ADCO group. We have made investigations into some incidents and accidents involving transportable pressure equipment. There have been several incidents where high-pressurized oxygen gas cylinders have disrupted suddenly and violently due to unexpected and fast internal corrosion. These cylinders have been extensively used in aquaculture plants. Water ingress has caused the corrosion in these cases, but we are still investigating if the water ingress is the result of improper handling of the cylinders or by improper and unauthorized filling. Both our national regulation implementing directive 2010/35 (TPED) and the underlying technical provisions found in the transport of dangerous goods regulations are perceived by companies and the general public as not easy accessible. We have therefore spent considerable amounts of time on guidance and responding to enquiries on the regulations of this type of equipment.

## **2.9. Machinery**

### *2.9.1. Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: [postmottak@dsb.no](mailto:postmottak@dsb.no) – [www.dsb.no](http://www.dsb.no)

Labour Inspection Authority  
Postboks 4720 Sluppen 7468 Trondheim  
Tel: 815 48 222 - Fax: 73 19 97 01  
e-mail: [post@arbeidstilsynet.no](mailto:post@arbeidstilsynet.no) – [www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

Petroleum Safety Authority Norway  
Professor Olav Hanssens vei 10, 4021 Stavanger  
Tel: + 47 51 87 32 00 – Fax: + 47 51 87 15 26  
e-mail: [postboks@ptil.no](mailto:postboks@ptil.no) – [www.ptil.no](http://www.ptil.no)

### *2.9.2. Market surveillance procedures and strategy*

The Norwegian Directorate for Civil Protection (DSB) is the national public authority for Machinery for non-professional use. Resources at our disposal is for the year 2017 about 30 % of a full-time equivalent. DSB is also responsible for machinery regarding electrical safety. Resources at our disposal is limited to a small group working with electrical products in general.

DSB has no in-house laboratories.

DSB's approach to market surveillance of Machinery is risk based, and focuses on preventive measures to ensure that Machinery on the market are safe and that the economic operators recognise their responsibilities when placing products on the market. DSB cooperates with the Norwegian Labour Inspection Authority, as they are responsible for Machinery for professional use.

DSB conducts proactive controls of non-professional products on Machinery, based on risk assessments and experience with possible dangerous Machinery on the market. For 2017 the product control will most likely be part of so-called multi importer audit, i.e. controls of larger importers having a wide range of consumer products in their portfolio. Reactive controls constitute however the bulk of controls in the Machinery area. These controls are mainly based on national incidents, national notifications regarding voluntary measures from economic operators, RAPEX notifications from other EEA States and concerns or complaints the authority receives from the consumers.

DSB makes use of seasoned based information on the safety of Machinery for non-professional use. Information is to be found on [www.sikkerhverdag.no](http://www.sikkerhverdag.no) and [www.farligeprodukter.no](http://www.farligeprodukter.no).

Regarding electrical safety market surveillance activities are performed both proactive and reactive in a very limited scale. Proactive activity are combined with MS activities for LVD.

There has been started a cooperation project between DSB and the customs regarding electrical products, it will go on in 2017. There will also be arranged a season campaign regarding hoverboards.

The Labour Inspection authority is, together with the Petroleum Safety Authority, responsible for market surveillance of Machinery for professional use.

The Labour Inspection Authority applies the initiating authority principle (whereby the MSA which identifies a problem with a product and is best placed to describe it attempts to resolve it during the voluntary phase across the European market, based on the spirit of cooperation among the MSAs involved). Application of this model for cooperation among MSAs is founded on good practice within the ADCO machinery and pressure equipment sectors. This approach has proved to be efficient and effective at meeting the objectives and requirements of the legal framework for MS.

The Labour Inspection Authority also follow up notifications done by other authorities/member states on ICSMS and Rapex.

The Petroleum Safety Authority Norway (PSA) pursues both proactive and reactive market surveillance activities based on a risk assessment approach, taking into account the history of the products and economic operators, incidents, accident/investigation reports, statistics, the risks involved in product distribution, the levels of confidence and uncertainty, new versus well-established manufacturers, the quality and functioning of work processes, and so forth.

On this basis, PSA targets the right products and economic operators for market surveillance (MS), decide how MS should be performed and, based on the MS results, determine how to follow up.

In the event of serious incidents, for example, PSA conducts investigations, which might result in further MS activities and measures (voluntary/mandatory) within the legal framework and our risk-based approach criteria.

PSA cooperates closely with national and international MSAs. See point 1.2 regarding the national industrial product network. In addition comes bilateral cooperation between us and various MSAs, both nationally and internationally. The PSA participates in ADCO WGs for the machinery.

### *2.9.3. Report from activities carried out under the previous planning period*

DSB has no report available for 2016 for machinery regarding non-professional products. DSB has no report available for 2016 for machinery regarding electrical safety.

The Labour Inspection Authority and PSA have carried out a joint Market Surveillance campaign on lifting equipment dealing with the formal requirements of the machinery directive.

The Labour Inspection Authority can report the following activities during 2016.

- Market surveillance campaign on feeding plants for offshore fish farming because of several accidents due to static electricity in feeding pipes.
- MSA towards producers and importers of lathes, meat saws, nailers, industrial shears, equipment for lifting bales of hay etc.
- Started examination of wheel loaders imported from China
- Followed up and guided several Norwegian importers of several types of machinery from China
- Carried out an investigation on a vehicle lift, probably false type approving certificate
- Participating in ADCO machinery and “Nordic machinery meeting”
- Guiding of interest organisations

PSA

PSA has pursued both proactive and reactive activities. We have also gained more experience where the initiating authority principle is concerned, which “proves” that this principle should be a recognised model for cooperation between MSAs.

PSA has achieved satisfactory cooperation with economic operators, and our cross-border collaboration with other MSAs, including joint activities, has been successful.

Where PSAs national MS programme for 2016 is concerned, the following outcomes are achieved:

- improved awareness among sector manufacturers of the framework for design and documentation requirements to show conformity with the machinery directive
- improved awareness among the economic operators of the legal framework, including harmonised EN standards
- improved awareness among the economic operators and the users of the challenges on assemblies of machinery, including the need for harmonised EN standards.

## 2.10. Lifts

### 2.10.1. *Responsible authority and contact details*

National Building Authority  
Postboks 8742 Youngstorget 0028 Oslo  
Tel: 22 47 56 00  
e-mail: post@dibk.no – www.dibk.no

### 2.10.2. *Market surveillance procedures and strategy*

Lifts, safety components and lifting platforms are under the responsibility of the Norwegian Building Authority, and the surveillance of these products is based on the same internal procedures, that apply for the surveillance of construction products.

In addition, the Norwegian Building Authority runs a webpage on its website where every owner of lifts and lifting platforms has the obligation to register these installations in a register called NIREG, and to register all the periodic safety controls undertaken as well as all the accidents related to these installations.

The surveillance of lifts, safety components and platforms is both proactive and reactive. The proactive surveillance focuses on lifts marketed by installing companies based on proprietary lifts delivered by other companies. Particular reference shall be made to the use of risk analysis by the installer and compatibility with the quality system and risk analysis of the original manufacturer. This proactive surveillance focuses on documents control.

The reactive surveillance is based on reports from periodic safety control, and is document-based (document checks). Physical checks in conjunction with safety inspection body may be relevant.

The Norwegian Building Authority will in 2017 continue its surveillance activities of lifts, mainly focused on reactive surveillance.

### 2.10.3. *Report from activities carried out under the previous planning period*

The Norwegian Building Authority has conducted one reactive market surveillance regarding lifts.

## 2.11. Cableways

### 2.11.1. *Responsible authority and contact details*

Norwegian Railway Authority  
Postboks 7113 St. Olavs plass 0130 Oslo  
Tel: +47 22 99 59 00 – Fax: +47 22 99 59 03  
e-mail: post@sjt.no - [www.sjt.no](http://www.sjt.no)

The Norwegian Railway Authority is responsible for market surveillance of safety components on cableways. This sector operates with safety components and subsystems. Safety components for cableways are defined by the manufacturer and can be a part of a subsystem.

#### 2.11.2. *Market surveillance procedures and strategy*

Strategy for market surveillance is aligned along three axes:

- Before safety components are taken into use
- Safety components which are in operation
- Before safety components enter the marked

Activities according to the first and second part of our strategy have been undertaken regularly since 2004. These are either part of the permission to operate procedure that new or refurbished cableway installations have to go through or they are part of regular audits of installations. Safety components are checked for CE marking and their documentation for compliance with requirements.

Activities according to the third part of our strategy were planned to be established in 2016 but had to be postponed to 2017. We will map all suppliers of cableways and importers of safety components that are on the Norwegian marked. The aim in the long run is to establish an updated overview of suppliers and importers. We will review if they have a sufficient quality control system in order to ensure that safety components comply with regulation.

#### 2.11.3. *Report from activities carried out under the previous planning period*

Activities according to first strategic axis, control before safety components are taken into use, are well documented since an approbation documents is issued as basis of permission to operate procedure.

10 cableway installations that were granted a new permission to operation in winter 2015/2016 had been subjected to a thorough review of their safety components.

### 2.12. **Noise emissions for outdoor equipment**

#### 2.12.1. *Responsible authority and contact details*

Labour Inspection Authority  
Postboks 4720 Sluppen 7468 Trondheim  
Tel: 815 48 222 - Fax: 73 19 97 01  
e-mail: post@arbeidstilsynet.no – [www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

#### 2.12.2. *Market surveillance procedures and strategy*

The Labour Inspection Authority applies the same market surveillance strategy and procedures for this sector as for machinery. See point 2.9.

2.12.3. *Report from activities carried out under the previous planning period*

The Labour Inspection Authority has no report available for 2016 for noise emissions for outdoor equipment.

2.13. **Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres**

2.13.1. *Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – www.dsb.no

Petroleum Safety Authority Norway  
Professor Olav Hanssens vei 10, 4021 Stavanger  
Tel: + 47 51 87 32 00 – Fax: + 47 51 87 15 26  
e-mail: postboks@ptil.no – [www.ptil.no](http://www.ptil.no)

The Norwegian Directorate for Civil Protection (DSB) is responsible for electrical equipment and protective systems intended for use in potentially explosive atmospheres. Resources at our disposal is limited to a small group working with electrical products in general. We have no in-house laboratories.

The Petroleum Safety Authority Norway (PSA) is the responsible market surveillance authority for this sector within its area of responsibility.

2.13.2. *Market surveillance procedures and strategy*

**DSB**

Market surveillance activities are performed reactive, but in a very small scale.

Cooperation with the other Nordic national authorities.

**PSA**

The PSA applies the initiating authority principle based on good practice within the machinery and PED sector. This approach has proved to be efficient and effective at meeting the objectives and requirements of the legal framework for MS.

For further explanation see point 2.9. – this explanation covers all the sectors within our area of responsibility.

2.13.3. *Report from activities carried out under the previous planning period*

DSB has no report available for 2016.

Where the PSA has looked at products subject to the Machinery Directive which are also covered by ATEX, the PSA has checked compliance (documentation check) with that directive at the same time.

## 2.14. **Pyrotechnics**

### 2.14.1. *Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – www.dsb.no

### 2.14.2. *Market surveillance procedures and strategy*

The Directorate for Civil Protection (DSB) has an overview of all the importers and distributors of pyrotechnic articles to Norway. In October / November when the importers and distributors have filled up their storages, SP Fire Research visits them, every year, and pick out a representative sample of firework and inspect the documentation, carry out a visual inspection of the product and carry out function tests on the fireworks.

Fireworks may only be sold to private individuals between 27 and 31 of December. During this period the fire brigade inspect the sales outlets and they also carry out an visual inspection and check of the labelling of the fireworks.

DSB is monitoring accidents in connection with use of fireworks, to see if the product caused any of them.

DSB has an annual meeting with the importers/distributors of fireworks to, among other things, discuss the result of the function tests and accidents with fireworks.

DSB attended Prosafe Joint Actions 2011 and 2014 for fireworks. DSB also cooperate regularly with the other Nordic authorities in questions relating to safe pyrotechnical articles and the handling of them

### 2.14.3. *Report from activities carried out under the previous planning period*

All the above-mentioned activities have been carried out in 2016. There are still fireworks approved according to former national legislation on the marked in Norway.

SP Fire Research visited all the six importers of fireworks to Norway in December 2015. A representative sample of firework where picked from each one of them. Documentation was inspected; a visual inspection of the product was carried out together with function tests on the fireworks. None of the fireworks tested failed.

In written time DSB has not received the results from the tests in 2016.

## 2.15. **Explosives for civil uses**

### 2.15.1. *Responsible authority and contact details*

Directorate for Civil Protection

Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – www.dsb.no

#### 2.15.2. *Market surveillance procedures and strategy*

The handling of explosives is strictly regulated with requirements concerning licenses throughout the whole chain from import, production and use up to destruction.

Everyone who may lawfully handle explosives in Norway shall be listed in the Directorate for Civil Protection's (DSB's) register. Anyone who wants to manufacture explosives, must have a license from DSB.

All accidents associated with the use of explosives as well as burglary or attempted burglary of stocks of explosives shall be reported to DSB and the police.

DSB is monitoring accidents in connection with use of explosives, to see if the product caused any of them.

DSB inspect companies that handles explosives and in connection with this, DSB also inspect the labelling of the products and their documents.

DSB also cooperate regularly with the other Nordic authorities in questions relating to explosives and the handling of them

#### 2.15.3. *Report from activities carried out under the previous planning period*

In 2016 DSB carried out 26 inspections with companies handling explosives, including, when possible, inspection of the labelling and documentation of the product. No product were tested or withdrawn from the market.

### 2.16. **Appliances burning gaseous fuels**

#### 2.16.1. *Responsible authority and contact details*

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – [www.dsb.no](http://www.dsb.no)

Directorate for Civil Protection (DSB) is the national public authority for Gas appliances. Resources at our disposal is a half-time equivalent. We have no in-house laboratories.

#### 2.16.2. *Market surveillance procedures and strategy*

Our approach to market surveillance of Gas Appliances is risk based, and we focus on preventive measures to ensure that Gas Appliances on the market are safe and that the economic operators recognise their responsibilities when placing products on the market.

Based on several accidents and incidents during the past years, and due to the high injury potential of these products, DSB has always had a special focus on the safety of Gas

Appliances. DSB therefore plan for at least one annual control of Gas Appliances (proactive). The market surveillance of Gas Appliances may be part of so-called multi importer audits, i.e. controls of larger importers having a wide range of consumer products in their portfolio, cooking appliances, barbeques and terrace heaters included. For several years we have also attended or followed Nordic Market Surveillance projects. These projects have covered inter alia gas refrigerators, gas stoves and click-on regulators on the Nordic market.

DSB also undertakes reactive controls in the Gas Appliances area every year. These controls are mainly based on national incidents, national notifications regarding voluntary measures from economic operators, RAPEX notifications from other EEA States and concerns or complaints the authority receives from the consumers.

DSB makes frequently use of seasoned based information campaigns on the safety of Gas Appliances. We conduct annual campaigns on the safe use of Gas Appliances at home, the maintenance of Gas Appliances and safe storage of gas bottles. These campaigns are distributed via social media such as Twitter and Facebook. Information on the safety of Gas Appliances is also to be found on [www.sikkerhverdag.no](http://www.sikkerhverdag.no) and [www.farligeprodukter.no](http://www.farligeprodukter.no).

For 2017 we are considering to participate in a Nordic project with focus on Gas Appliances (proactive), and gas barbeques.

#### *2.16.3. Report from activities carried out under the previous planning period*

In 2016, we did not carry out any proactive controls, but followed up a Nordic project on click-on regulators for gas. DSB also followed up on a RAPEX - notification from Denmark concerning a gas regulator.

Furthermore, we have carried out 7 reactive controls on e.g. cooking appliances and gas heaters. Most of the controls resulted in voluntary withdrawal or collecting documents which showed that the product was ok.

### **2.17. Measuring instruments, Non-automatic weighing instruments, Pre-packaged products and Units of measurement**

#### *2.17.1. Responsible authority and contact details*

The Norwegian Metrology Service  
Fetveien 99, NO-2007 Kjeller, Norway  
Tel: +47 64 84 84 84  
e-mail: [postmottak@justervesenet.no](mailto:postmottak@justervesenet.no) - [www.justervesenet.no](http://www.justervesenet.no)

The market surveillance is incorporated in the inspection organized by the authority, to ensure that measuring and measuring instruments in Norway fulfill the requirements in the directives and the national legislation. Market surveillance is carried out as a part of the in-use inspection for measuring instruments, in addition to market surveillance projects specific to types and uses of measuring instruments. The specific projects will in 2017 be carried out as joint projects with cooperating authorities in Europe in the field of measuring instruments. Market surveillance will be carried out by specialists in

inspection in legal metrology. The activity is incorporated in the working plans for each year.

#### 2.17.2. *Market surveillance procedures and strategy*

The general strategy of market surveillance at the field of measuring instruments is to, through general information and cooperation with the producers/distributors in accordance with specific following up in case of violations, to make sure there are no non-compliant measuring instruments for sale in the legal metrology field in the Norwegian market.

Procedures for market surveillance for use in both specific projects and for identifying non-compliance in the surveillance under use, are under development.

#### 2.17.3. *Report from activities carried out under the previous planning period*

Norwegian metrology service has in 2016 focused on training the inspectors for identifying market surveillance non-compliance in general in the field of measuring instruments, and by addressing the responsibility of non-compliance to the producers/distributor. There has also been focused on information to the campaigns producers/distributor.

### 2.18. **Electrical equipment under EMC**

#### 2.18.1. *Responsible authority and contact details*

Norwegian Communications Authority  
Nygård 1, 4790 Lillesand, Norway  
Postadress: Postboks 93, 4791 Lillesand, Norway  
Tel: +47 22 82 46 00 - Fax: +47 22 82 46 40  
e-mail: firmapost@nkom.no – www.nkom.no

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – [www.dsb.no](http://www.dsb.no)

Petroleum Safety Authority Norway  
Professor Olav Hanssens vei 10, 4021 Stavanger  
Tel: + 47 51 87 32 00 – Fax: + 47 51 87 15 26  
e-mail: postboks@ptil.no – www.ptil.no

The Norwegian Directorate for Civil Protection (DSB) is responsible for electrical equipment and fixed installations concerning electromagnetic compatibility. Resources at our disposal is limited to a small group working with electrical products in general. We have no in-house laboratories.

The Petroleum Safety Authority Norway (PSA) is the responsible market surveillance authority for this sector within its area of responsibility.

The Norwegian Communications Authority (Nkom) is responsible for equipment and installations intended for electronic communication and which falls under the EMC-directive. More details regarding Nkom's market surveillance can be found in chapter 2.19.

#### 2.18.2. *Market surveillance procedures and strategy*

##### DSB

Market surveillance activities are performed both proactive and reactive. Proactive activity are combined with MS activities for LVD. We also participate in common European MS campaigns.

Cooperation with the Norwegian Communications Authority and the other Nordic national authorities.

A cooperation project, between the Norwegian Directorate for Civil Protection and The customs regarding electrical products, has been started. This will go on in 2017.

The Norwegian Directorate for Civil Protection is a part of joint action EMC/LVD ADCO regarding LED floodlights.

##### Nkom

Please see point 2.19.2 for details regarding Nkoms market surveillance procedures and strategy.

##### PSA

The PSA pursues both proactive and reactive market surveillance activities based on a risk assessment approach.

The PSA applies the initiating authority principle based on good practice within the machinery and PED sector. This approach has proved to be efficient and effective at meeting the objectives and requirements of the legal framework for MS.

For further explanation see point 2.9 – this explanation covers all the sectors within our area of responsibility.

#### 2.18.3. *Report from activities carried out under the previous planning period*

##### DSB

DSB has no report available for 2016.

##### Nkom

Nkom did not assess any products in this category in 2016.

##### PSA

Where the PSA has looked at products subject to the Machinery Directive which are also covered by EMC, the PSA has checked compliance (documentation check) with that directive at the same time.

## 2.19. Radio and telecom equipment under RTTE – RED

### 2.19.1. *Responsible authority and contact details*

Norwegian Communications Authority  
Nygård 1, 4790 Lillesand, Norway  
Postadress: Postboks 93, 4791 Lillesand, Norway  
Tel: +47 22 82 46 00 - Fax: +47 22 82 46 40  
e-mail: firmapost@nkom.no – [www.nkom.no](http://www.nkom.no)

The Norwegian Communications Authority (Nkom) allocates approximately 4 full-time equivalent resources for market surveillance tasks. The budget for performing measurements on equipment is approximately 100000 Euro for 2017. An accredited laboratory is used for performing measurements on the equipment.

### 2.19.2. *Market surveillance procedures and strategy*

Nkom implements regulations for radio and telecommunications terminal equipment on the Norwegian market. Nkom monitors that products that are placed on the market comply with basic requirements to electrical safety, electromagnetic compatibility (EMC) and effective frequency use, and that the equipment is safe to use. Nkom is responsible for performing market surveillance. Equipment is collected from the market and administrative and technical checks are done.

Nkom coordinates its market surveillance work with the Directorate for Civil Protection and with the Norwegian Maritime Authority.

Proactive market surveillance actions are based on a risk evaluation. Participation in European common campaigns is prioritized.

Nkom also participates in relevant international cooperation such as RED ADCO, EMC ADCO, Nordic Market Surveillance Group and in standardisation on national, European and international level. The goal with the participation is to maintain needed competence on relevant standards and to influence the development of standards within areas of particular interest for Norway.

### 2.19.3. *Report from activities carried out under the previous planning period*

In 2016 Nkom participated in the RED ADCO campaign on radio controlled toys. The result of the campaign will be published by the European Commission.

Jammers that have been found on the market have been removed and intervention in the form of information has led to withdrawal of mobile repeaters from the market. Use of such products may lead illegal frequency use and disturbance of radiocommunication.

A radio seminar was held for actors, with the purpose of information about the new regulation that have come in effect from 2016. Update on the web pages are ongoing.

In 2016 Nkom participated in 2 RED ADCO meetings, 2 EMC ADCO meetings and 1 meeting in the Nordic Market Surveillance Group.

Nkom did also participate in standardization work in the areas of EMC, radio and safety on national, European and global level.

## 2.20. Electrical appliances and equipment under LVD

### 2.20.1. Responsible authority and contact details

Norwegian Communications Authority  
Nygård 1, 4790 Lillesand, Norway  
Postadress: Postboks 93, 4791 Lillesand, Norway  
Tel: +47 22 82 46 00 - Fax: +47 22 82 46 40  
e-mail: firmapost@nkom.no – www.nkom.no

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: postmottak@dsb.no – www.dsb.no

Petroleum Safety Authority Norway  
Professor Olav Hanssens vei 10, 4021 Stavanger  
Tel: + 47 51 87 32 00 – Fax: + 47 51 87 15 26  
e-mail: postboks@ptil.no – [www.ptil.no](http://www.ptil.no)

The Norwegian Directorate for Civil Protection (DSB) is responsible for electrical equipment concerning electrical safety. Resources at our disposal is limited to a small group working with electrical products in general. We have no in-house laboratories, but have the possibility to perform some simple preliminary tests.

The Norwegian Communications Authority (Nkom) is responsible for equipment and installations intended for electronic communication and which falls under the LVD. More details regarding Nkom's market surveillance can be found in chapter 2.19.

The Petroleum Safety Authority Norway (PSA) is the responsible market surveillance authority for this sector within its area of responsibility.

### 2.20.2. Market surveillance procedures and strategy

#### DSB

Market surveillance activities are performed both proactive and reactive.

DSB is a part of joint action EMC/LVD ADCO regarding LED floodlights, and PROSAFE joint action LED and CFL. It will also be arranged a season campaign regarding electric bicycles.

DSB is continuously monitoring and taking actions based on reports from the public and economic operators etc. A special web-based reporting system connected to our DB is used both for statistically and handling purposes.

Cooperation with the other Nordic national authorities.

A cooperation project, between the Norwegian Directorate for Civil Protection and The customs regarding electrical products, has been started. This will go on in 2017.

#### PSA

The PSA pursues both proactive and reactive market surveillance activities based on a risk assessment approach.

The PSA applies the initiating authority principle based on good practice within the machinery and PED sector. This approach has proved to be efficient and effective at meeting the objectives and requirements of the legal framework for MS.

For further explanation see point 2.9. – this explanation covers all the sectors within our area of responsibility.

Nkom

Please see point 2.19.2 for details regarding Nkoms market surveillance procedures and strategy.

#### *2.20.3. Report from activities carried out under the previous planning period*

DSB has no report available for 2016.

PSA has in 2016 carried out documentation check on site in connection with other market surveillance activities.

In 2016 Nkom did not perform market surveillance activities under the LVD.

### **2.21. Electrical and electronic equipment under RoHS and WEEE and batteries**

#### *2.21.1. Responsible authority and contact details*

Norwegian Environment Agency  
Postboks 5672 Sluppen, 7485 Trondheim  
Tel: 03400 / 73 58 05 00 - Fax: 73 58 05 01  
e-mail: post@miljodir.no - www.miljodirektoratet.no

#### *2.21.2. Market surveillance procedures and strategy*

The Norwegian Environment Agency is responsible for carrying out market surveillance on restricted substances in EEE and on formal requirements including labelling, CE marking and corresponding documentation. The agency is also responsible for carrying out market surveillance on the marking of EEE with a pictogram of a “crossed out wheel bin” (WEEE symbol).

The Norwegian Environment Agency inspects importers, producers and distributors of EEE proactively based on risk assessment. The agency also performs spot checks of products placed on the market. We also register and follow up complaints (reactive), and ensure corrective actions if needed. We collaborate with The Customs Authority, which controls EEE regularly at the border due to formal non-compliance, to prevent non-compliant products being placed on the market.

If there is detected any restricted substances in the EEE, lack of CE-marking, missing WEEE symbol, lack of other required markings (i.e. name and contact address to manufacturer and importer) and/or required documentation for EEE placed on the

Norwegian market, The Norwegian Environment Agency will issue a sales or import ban until the product and documentation is in compliance.

To ensure that the RoHS regulation or decisions made pursuant to this regulation are complied with, the Norwegian Environment Agency can impose coercive fines (article 13 of the Product Control Act). Coercive fines are not considered a penalty or punishment, but are used as a measure to ensure that the regulations or decisions made pursuant to them are complied with.

### *2.21.3. Report from activities carried out under the previous planning period*

Inspections indicate that larger companies with well-known brands have good management systems for ensuring compliance. Smaller companies importing a broad variety of product categories, had few mechanisms, little documentation and low knowledge of relevant regulations.

We detected that approximately 30% of inspected EEE are without obligatory CE-marking and/or WEEE symbol and/or proper RoHS documentation. A sales ban is issued when products lack CE-marking, documentation, labelling or if the chemical content is above regulation limits.

In 2016 the agency participated in a joint action project on USB cables initiated by the RoHS ADCO group and chaired by Sweden. 38 products on the Norwegian market were tested, Two out of these were not compliant with the RoHS regulation and removed from the market.

## **2.22. /A Chemical substances under REACH and Classification and Labelling Regulations**

### *2.22.1. Responsible authority and contact details*

Labour Inspection Authority  
Postboks 4720 Sluppen 7468 Trondheim  
Tel: 815 48 222 - Fax: 73 19 97 01  
e-mail: [post@arbeidstilsynet.no](mailto:post@arbeidstilsynet.no) – [www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

Directorate for Civil Protection  
Postboks 2014, 3103 Tønsberg  
Tel: 33 41 25 00 - Fax: 33 31 06 60  
e-mail: [postmottak@dsb.no](mailto:postmottak@dsb.no) – [www.dsb.no](http://www.dsb.no)

Norwegian Environment Agency  
Postboks 5672 Sluppen, 7485 Trondheim  
Tel: 03400 / 73 58 05 00 - Fax: 73 58 05 01  
e-mail: [post@miljodir.no](mailto:post@miljodir.no) - [www.miljodirektoratet.no](http://www.miljodirektoratet.no)

### *2.22.2. Market surveillance procedures and strategy*

The Labour Inspection Authority inspects manufacturers, importers, distributors and downstream users of industrial and professional chemicals. Enforcement priorities for market surveillance are based on risk

assessment and tips-offs from internal and external sources. This is an all year activity focusing on labels and safety data sheets(SDSs).

The object of the annual national campaign in 2016 is REACH-EN-FORCE (REF) 5 of ECHAs Forum with focus on the coherence of SDS with the Chemical Safety Report (CSR), distribution of SDS/Exposure Scenarios (ES) in the supply chain and Risk Management Measures (RMM) and Operational Conditions (OC).

The Norwegian Environment Agency

The Norwegian Environment Agency is responsible authority for carrying out market surveillance of restricted substances in articles, mainly articles for consumer use. The agency inspects importers, suppliers and distributors of articles that may contain restricted and/or SVHC substances. The agency performs spot checks of products placed on the market, proactively based on risk assessment. The agency registers and follows up complaints (reactive), and ensures corrective actions if needed.

The Norwegian Environment Agency inspects importers, manufacturers, downstream users and distributors of substances and mixtures, proactively based on risk assessment. The agency also registers and follows up complaints (reactive), and ensures corrective actions if needed.

If there is detected any restricted or banned substances in articles or in mixtures placed on the Norwegian market, The Norwegian Environment Agency will issue a sales ban. If there is an unacceptable risk that an article or mixture will cause health or environmental hazards, the Norwegian Environment Agency can impose measures to ensure that this risk is reduced, by for instance decide that the article or mixture shall be withdrawn from the market, or render the article or mixture harmless in accordance with article 6a of the Product Control Act.

The Norwegian Environment Agency may also impose the offender to send out a public warning. Depending on the circumstances, the offence may be reported to the Police.

To ensure that the REACH and CLP regulations or decisions made pursuant to these regulations are complied with, the Norwegian Environment Agency can impose coercive fines (article 13 of the Product Control Act). A coercive fine can be imposed on any kind of offences. Coercive fines are not considered a penalty or punishment, but are used as a measure to ensure that the regulations or decisions made pursuant to them are complied with.

The Norwegian Directorate for Civil Protection (DSB)

DSB provide assistance to the other directorates when it comes to issues with chemicals classified with physical hazards.

### *2.22.3. Report from activities carried out under the previous planning period*

Labour Inspection Authority

In 2015 the all-year-continuous control of manufactures, importers and retailers has resulted in approximately 100 inspections mainly focused on routines for distribution of safety data sheets and on quality of information on labels and safety data sheets.

The object of the national campaign this year was quality of safety data sheets and the employee's access to the safety data sheets. The result of this campaign was approximately 275 inspections at workplaces.

The Norwegian Environment Agency

Most articles controlled comply with the REACH regulation, but we regularly find articles containing restricted substances above the limits in the regulation. Inspections of companies show that many importers have few mechanisms and lack documentation to ensure that the articles they import do not contain any hazardous substances according to the regulation.

During 2016 The Environment Agency has performed spot checks of equipment for sports and leisure, toys and childcare articles and jewellery according to relevant restrictions on Annex XVII. Special attention has been on the duty to provide information on substances of very high concern (SVHC) on the candidate list, according to REACH article 33. The agency has also followed up notifications from RAPEX, national notifications from companies that detect illegal substances in articles, customer complaints, and tips from consumers and other agencies.

During 2016, The Norwegian Environment Agency conducted inspections at importers, manufacturers, downstream users and distributors of chemicals controlling compliance with requirements according to the CLP-regulation and the REACH-regulation. At these inspections, we inspected the management systems at the companies and performed spot checks of chemicals. The results of the spot checks show that a considerable part of the safety data sheets for chemicals are not compliant according to REACH art. 31. They also show that many companies struggle to comply with the CLP-regulations. There have been cases of non-compliance regarding restricted substances as such or substances in mixtures (REACH annex XVII).

In 2016, the agency performed a specific control activity on REACH-registration. 10 % of the pre-registrants for the deadline in 2013 who had not submitted a full registration were inspected. The result was that they were all in compliance with REACH.

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

#### *2.22.4. Responsible authority and contact details*

Norwegian Environment Agency  
P.O. Box 5672 Sluppen NO-7485 Trondheim  
Tel. (47) 73 58 05 00 - Fax (47) 73 58 05 01  
e-mail: post@miljodir.no - www.miljodirektoratet.no

#### *2.22.5. Market surveillance procedures and strategy*

The Norwegian Environment Agency inspects importers and suppliers/distributors of detergents. We perform spot checks of products and detergents placed on the market, proactively based on risk assessment. We also register and follow up complaints (reactive), and ensure corrective actions if needed.

If there is detected any restricted or banned substances in articles or detergents placed on the Norwegian market, The Norwegian Environment Agency will issue a sales ban. If

there is an unacceptable risk that an article or detergent will cause health or environmental hazards, the Norwegian Environment Agency can impose measures to ensure that this risk is reduced, by for instance decide that the article or detergent shall be withdrawn from the market, or render the article or detergent harmless in accordance with article 6a of the Product Control Act.

The offender may have to send out a public warning and depending on the circumstances, and may be reported to the police.

To ensure that the regulation or decisions made pursuant to these regulations are complied with, the Norwegian Environment Agency can impose coercive fines (article 13 of the Product Control Act). A coercive fine can be imposed on any kind of offences. Coercive fines are not considered a penalty or punishment, but are used as a measure to ensure that the regulations or decisions made pursuant to them are complied with.

#### *2.22.6. Report from activities carried out under the previous planning period*

In 2016, detergents have been inspected at the relevant companies, but there has not been any special inspection campaigns on the detergent regulations. There has been detected some detergents that contain phosphorous above the limit in the national regulation (Norwegian regulation) and therefore have been banned for sales.

The agency has in 2016 performed some tests of detergents to verify the classification according to CLP. The results from these tests indicate that the tested detergents have correct classification.

In 2016 there has not been any control activities on the VOC-regulation in paints.

During 2016 The Norwegian Environment Agency has performed spot checks on equipment for sports and leisure and toys and childcare articles. The articles have been analysed for substances (SCCP and flame retardants) regulated by the Product control act and in agreement with the Stockholm Convention (POP's). Larger air-condition installations in public buildings have been inspected for the use of HKFK/ KFK, documentation and maintenance according to regulations in the Product control act and the Stockholm convention.

The agency has also followed up notifications from RAPEX, national notifications from companies that detect illegal substances in articles or mixtures, customer complaints, and tips from consumers/other inspectorates.

### **2.23. Eco-design and Energy Labelling; Efficiency requirements for hot-boilers fired with liquid or gaseous fuels**

#### *2.23.1. Responsible authority and contact details*

The Norwegian Water Resources and Energy Directorate (NVE)  
Middelthunsgate 29, Postboks 5091 Majorstua, 0301 Oslo  
Tel: +47 22 95 95 95  
e-mail: [nve@nve.no](mailto:nve@nve.no) – [www.nve.no](http://www.nve.no)

### 2.23.2. *Market surveillance procedures and strategy*

The planning and execution of market surveillance of eco-design and energy labelling take advantage of standard procedures for market surveillance in NVE. Products are selected based on criteria of risk, potential for energy efficiency improvements, market share, history, notifications and in coordination with other national and Nordic authorities responsible for market surveillance. Methods for surveillance include information to the responsible supplier or manufacturer, inspections in shop and online stores, on advertising material, and by means of document controls.

### 2.23.3. *Report from activities carried out under the previous planning period*

IN 2016 NVE inspected shops and online stores for energy labelling of vacuum cleaners, household washing machines, televisions and electrical lamps. Approximately 2000 products were controlled. Controls of energy labelling have also been carried out on advertising material.

Reports on missing or wrongly placed labels are expected primo 2017.

## 2.24. **Tyre labelling**

### 2.24.1. *Responsible authority and contact details*

Norwegian Public Roads Administration  
Brynsengfarete 6A, 0033 Oslo  
Tel: +47 915 02030  
e-mail: firmapost@vegvesen.no – www.vegvesen.no

### 2.24.2. *Market surveillance procedures and strategy*

In order to secure proper labelling on tyres Norwegian Public Roads Administration supervise tyre and vehicle suppliers in Norway (proactive) to ensure that they fulfill their responsibilities due to regulation (EC) No 1222/2009. To ensure that the regulation on tyre labelling are complied with we can impose coercive fines and violation charges.

### 2.24.3. *Report from activities carried out under the previous planning period*

In 2016 (per 30.11.16 )Norwegian Public Roads Administration has carried out 15 proactive supervisions on tyre labelling.

## 2.25. **Recreational craft**

### 2.25.1. *Responsible authority and contact details*

The Norwegian Maritime Authority  
PO Box 2222, N-5509 Haugesund, Norway

Tel: +47 52 74 50 00 – Fax: +47 52 74 50 01  
e-mail: post@sdir.no – www.sjofartsdir.no

### 2.25.2. *Market surveillance procedures and strategy*

The Norwegian Maritime Authority (NMA) bases its market surveillance of recreational craft through general inspections. Apart from this, the NMA base the inspections on tips from the industry, consumers and the results of the market surveillance. Such inspections are based on a free professional judgment. The NMA has a close cooperation with customs authorities. If the NMA suspect that a company imports products not according to the regulations, this firm will be monitored specifically.

The NMA has produced procedures and checklists to be able to perform this activity. In addition some of the NMA inspectors have specialized within this field. The NMA aims to carry out 45 inspections on recreational crafts and 5 audits on manufacturers of recreational crafts in 2017.

### 2.25.3. *Report from activities carried out under the previous planning period*

The NMA planned and conducted several marked inspections of recreational crafts in 2016. This control consisted of visits and inspections on the largest recreational craft fairs in the country. Also a major distributor was visited, where 7 crafts were inspected. A total of 34 boat models were examined closer. NMA also receives a large number of tips and reports of concern during the year. These are individually assessed and serve as the basis for further investigations. We have in some cases adopted import bans and restrictions based on these inspections.

## 2.26. **Marine equipment**

### 2.26.1. *Responsible authority and contact details*

The Norwegian Maritime Authority  
PO Box 2222, N-5509 Haugesund, Norway  
Tel: +47 52 74 50 00 – Fax: +47 52 74 50 01  
e-mail: post@sdir.no – [www.sjofartsdir.no](http://www.sjofartsdir.no)

Norwegian Communications Authority  
Nygård 1, 4790 Lillesand, Norway  
Postadress: Postboks 93, 4791 Lillesand, Norway  
Tel: +47 22 82 46 00 - Fax: +47 22 82 46 40  
e-mail: firmapost@nkom.no – [www.nkom.no](http://www.nkom.no)

The Norwegian Communications Authority (Nkom) has the responsibility for radio equipment that falls under the Marine equipment directive. More details regarding Nkom's market surveillance can be found in chapter **Error! Reference source not found.** Radio and telecom equipment under RTTE – RED.

### 2.26.2. *Market surveillance procedures and strategy*

In Norway certification of Marine equipment is done by Technical Control Body (TKO).

Producers of Marine equipment contact the TKO in order to get the Marine equipment approved. The Norwegian Maritime Authority (NMA) is responsible to observe and audit that the TKO performs its duty in accordance with the regulations and standards. In addition the NMA is responsible for participate during test of Marine equipment. In addition The NMA has a responsibility to follow-up if a complaint or concern has been reported.

The NMA has an Audit department responsible to follow up the TKO. All inspectors in NMA has a responsibility in connection with test of Marine Equipment. The NMA has recently started the work to implement The requirements given in Directive 2014/90/EU have been implemented in Regulations of 30 August 2016 No. 1042 on Marine Equipment, which entered into force September 18th 2016.

Please see point 2.19.2 for details regarding Nkom's market surveillance procedures and strategy.

### *2.26.3. Report from activities carried out under the previous planning period*

The NMA has procedures established in order to specify NMA's responsibility related to Marine equipment. The procedures are divided in three:

- Procedures related to observe the activities done by TKO. The main objective of the observation is to verify that the TKO has a quality system in accordance with NS-EN ISO 9001.
- Procedures related to observe tests of Marine equipment on new buildings and re-buildings.
- The NMA has procedures in order to handle complaints/concerns. Reported cases will be followed up.

The NMA has not carried out any inspections on Marine equipment in 2016.

In 2016 Nkom has not performed market surveillance on Marine equipment.

## **2.27. Motor vehicles and Tractors**

### *2.27.1. Responsible authority and contact details*

Norwegian Public Roads Administration  
Brynsengfaret 6A, 0033 Oslo  
Tel: +47 915 02030  
e-mail: firmapost@vegvesen.no – www.vegvesen.no

### *2.27.2. Market surveillance procedures and strategy*

Market surveillance of motor vehicles and equipment mainly take place in a reactive way, bases on incoming complaints. When it is detected that unsafe or non-compliant products are sold from a Norwegian retailer, this retailer will be contacted. Unsafe products will be reported to the Norwegian Directorate for Civil Protection (DSB) for

further reporting through the Rapex-system. Unsafe product sold online from abroad will as far as possible be treated in the same way. Usually the economic operators take voluntary measures to secure safety of their product, but we also ensure corrective actions if needed. Norwegian Public Roads Administrations followed up the vehicles importer for Norway with updated owners information if there are campaigns in RAPEX.

*2.27.3. Report from activities carried out under the previous planning period*

We have approximately 310 notifications concerning motor vehicles and equipment for such vehicles through the Rapex system in 2016 (per 30.11.16). There have been several voluntary actions by the economic operators based on complaints concerning vehicles and equipment.

**2.28. Non-road mobile machinery**

*2.28.1. Responsible authority and contact details*

Norwegian Public Roads Administration  
Brynsengfaret 6A, 0033 Oslo  
Tel: +47 915 02030  
e-mail: firmapost@vegvesen.no – www.vegvesen.no

*2.28.2. Market surveillance procedures and strategy*

Market surveillance of motor vehicles and equipment mainly take place in a reactive way, bases on incoming complaints. When it is detected that unsafe or non-compliant products are sold from a Norwegian retailer, this retailer will be contacted. Unsafe products will be reported to the Norwegian Directorate for Civil Protection (DSB) for further reporting through the Rapex-system. Unsafe product sold online from abroad will as far as possible be treated in the same way. Usually the economic operators take voluntary measures to secure safety of their product, but we also ensure corrective actions if needed. Norwegian Public Roads Administrations followed up the vehicles importer for Norway with updated owners information if there are campaigns in RAPEX.

*2.28.3. Report from activities carried out under the previous planning period*

We have approximately 310 notifications concerning motor vehicles and equipment for such vehicles through the Rapex system in 2016(per 30.11.16). There have been several voluntary actions by the economic operators based on complaints concerning vehicles and equipment.

## 2.29. Fertilisers

### 2.29.1. *Responsible authority and contact details*

Norwegian Food Safety Authority  
Felles postmottak, P.O.Box 383, NO-2381 Brumunddal, Norway  
Tel: +47 22 40 00 00, +47 232 16800  
e-mail: postmottak@mattilsynet.no - www.mattilsynet.no

### 2.29.2. *Market surveillance procedures and strategy*

Norwegian Food Safety Authority (NFSA) has a register for all mineral fertilisers marketed in Norway. All new fertilizers must be registered prior to marketing. As a part of the registration, an analytical report of cadmium content in the product must be provided.

### 2.29.3. *Report from activities carried out under the previous planning period*

28 new EC fertiliser products have been registered so far in 2016 (no liming materials).

In 2016 NFSA have controlled product labelling of approximately 20 EC fertilisers. Focus has been all labelling requirements in the Regulation (EC) No 2003/2003 with the exception of the labelling requirements for the content of micronutrients.

Incompliances that was found include:

- Lack of the words «EF-gjødsel»
- Incorrect type designation
- No information about extraction methods (P and K)
- No or incorrect information about the element form of nutrients

Where incompliance was found, the Norwegian distributor was imposed to change the labelling. Of the controls that has been finished so far in 2016, 50 % of the products had incorrect labelling resulting in decisions from NFSA.

In 2015, mineral fertilisers containing phosphorus was sampled to control the cadmium (Cd) content. The results was available in January 2016. One EC fertiliser had a Cd content higher than the Norwegian limit value. The Norwegian limit value is 43,6 mg Cd/kg P<sub>2</sub>O<sub>5</sub>, whereas the product had a Cd content of 56,2 mg Cd/kg P<sub>2</sub>O<sub>5</sub>. The Norwegian distributor was imposed to withdraw the product from the Norwegian market until they can document that new batches of the product have a Cd content below the Norwegian limit value.

## 2.30. **Other consumer products under GPSD (optional)**

### 2.30.1. *Responsible authority and contact details*

Directorate for Civil Protection

Postboks 2014, 3103 Tønsberg  
Tel. +47 33 41 25 00 - Fax +47 33 31 06 60  
e-mail: rapex@dsb.no - [www.dsb.no](http://www.dsb.no)

Norwegian Environment Agency  
Postboks 5672 Sluppen, 7485 Trondheim  
Tel: 03400 / 73 58 05 00 - Fax: 73 58 05 01  
e-mail: post@miljodir.no - [www.miljodirektoratet.no](http://www.miljodirektoratet.no)

### 2.30.2. *Market surveillance procedures and strategy*

The Norwegian Environment Agency controls importers, producers and suppliers/distributors of biocidal products and treated articles. We also control industrial users of biocidal products (IED and offshore companies). We perform spot checks of biocidal products and treated articles placed on the market proactively based on risk assessment. We also register and follow up complaints (reactive).

If the agency detects non-compliant biocidal products or treated articles according to the regulation EU 528/2012 concerning the making available on the market and use of biocidal products, it will ensure corrective actions. If there is an unacceptable risk that a biocidal product will cause health or environmental hazards, the Norwegian Environment Agency may impose measures to ensure that this risk is reduced. The Agency may decide an import or sales ban, consider withdrawal/recall of biocidal product from the market or render it harmless in accordance with article 6a of the Product Control Act.

We may also impose the offender to send out a public warning depending on the circumstances, and we may report the offence to the Police.

To ensure that the regulation EU 528/2012 or decisions made pursuant to this regulation are complied with, the Norwegian Environment Agency can impose coercive fines (article 13 of the Product Control Act). A coercive fine may be imposed on any kind of offences. Coercive fines are not considered a penalty or punishment, but are used as a measure to ensure that the regulations or decisions made pursuant to them are complied with.

### 2.30.3. *Report from activities carried out under the previous planning period*

The Norwegian Environment Agency has performed a national campaign on rodenticides sold in shops to consumers. We detected only minor breaches with regards to the labelling of authorised products and only few non-authorised products were sold (old products). We have also controlled compliance of article 95 of six suppliers selling PT5 products and performed inspections of 19 suppliers of biocidal products.

With regards to treated articles we have checked the labelling and information obligation to consumers in article 58 at 15 suppliers.

## 2.31. **Biocides**

### 2.31.1. *Responsible authority and contact details*

Norwegian Environment Agency

Postboks 5672 Sluppen, 7485 Trondheim  
Tel: 03400 / 73 58 05 00 - Fax: 73 58 05 01  
e-mail: post@miljodir.no - www.miljodirektoratet.no

### 2.31.2. *Market surveillance procedures and strategy*

The Norwegian Environment Agency controls importers, producers and suppliers/distributors of biocidal products and treated articles. We also control industrial users of biocidal products (IED and offshore companies). We perform spot checks of biocidal products and treated articles placed on the market proactively based on risk assessment. We also register and follow up complaints (reactive).

If the agency detects non-compliant biocidal products or treated articles according to the regulation EU 528/2012 concerning the making available on the market and use of biocidal products, it will ensure corrective actions. If there is an unacceptable risk that a biocidal product will cause health or environmental hazards, the Norwegian Environment Agency may impose measures to ensure that this risk is reduced. The Agency may decide an import or sales ban, consider withdrawal/recall of biocidal product from the market or render it harmless in accordance with article 6a of the Product Control Act.

We may also impose the offender to send out a public warning depending on the circumstances, and we may report the offence to the Police.

To ensure that the regulation EU 528/2012 or decisions made pursuant to this regulation are complied with, the Norwegian Environment Agency can impose coercive fines (article 13 of the Product Control Act). A coercive fine may be imposed on any kind of offences. Coercive fines are not considered a penalty or punishment, but are used as a measure to ensure that the regulations or decisions made pursuant to them are complied with.

### 2.31.3. *Report from activities carried out under the previous planning period*

The Norwegian Environment Agency has performed a national campaign on rodenticides sold in shops to consumers. We detected only minor breaches with regards to the labelling of authorised products and only few non-authorised products were sold (old products). We have also controlled compliance of article 95 of six suppliers selling PT5 products and performed inspections of 19 suppliers of biocidal products.

With regards to treated articles we have checked the labelling and information obligation to consumers in article 58 at 15 suppliers.

## 2.32. **Textile and Footwear labelling**

### 2.32.1. *Responsible authority and contact details*

Consumer Ombudsman

Sandakerveien 138 0484 OSLO  
Tel: 23 400 600 - Fax: 23 400 601  
e-mail: post@forbrukerombudet.no - www.forbrukerombudet.no

2.32.2. *Market surveillance procedures and strategy*

The NCO determines its enforcement priorities on incoming complaints.

2.32.3. *Report from activities carried out under the previous planning period*

None.

**2.33. Crystal glass**

2.33.1. *Responsible authority and contact details*

Consumer Ombudsman  
Sandakerveien 138 0484 OSLO  
Tel: 23 400 600 - Fax: 23 400 601  
e-mail: post@forbrukerombudet.no - [www.forbrukerombudet.no](http://www.forbrukerombudet.no)

2.33.2. *Market surveillance procedures and strategy*

The NCO determines its enforcement priorities based on incoming complaints.

2.33.3. *Report from activities carried out under the previous planning period*

None.

**2.34. Vehicles - energy labelling**

2.34.1. *Responsible authority and contact details*

Norwegian Public Roads Administration  
Brynsengfarete 6A, 0033 Oslo  
Tel: +47 915 02030  
e-mail: firmapost@vegvesen.no – www.vegvesen.no

2.34.2. *Market surveillance procedures and strategy*

In order to secure proper energy labelling of new passenger cars Norwegian Public Roads Administration supervise vehicle suppliers in Norway (proactive) to ensure that they fulfill their responsibilities due to directive (EC) No 1999/94. To ensure that the

regulation on energy labelling are complied with we can impose coercive fines and violation charges.

2.34.3. *Report from activities carried out under the previous planning*

In 2016 Norwegian Public Roads Administration carried out 38 proactive supervisions on energy labelling of new passenger cars (per 30.11.16).