

Report on the Member States reviews and assessment of the functioning of market surveillance activities for the 2010-2013 period pursuant to Article 18(6) of Regulation (EC) No 765/2008

Sector 14 Pyrotechnics

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Information on activities in other product sectors can be find on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Belgium

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

No information

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No information

Bulgaria

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	-	-	-	-
2.	Number of substantiated complaints by industry concerning unfair competition	-	-	-	-
3.	Number of inspections (total number)	416	431	736	1386
3.1	number of reactive inspections	-	3	34	12
3.2	number of self-initiated inspections	416	428	405	528
3.3	number of inspections prompted by the customs	-	-	463	846
4	Number of inspections based on:				
4.1	tests performed in laboratories	-	-	-	8
4.2	physical checks of products	416	431	736	1386
5	Number of inspections resulting in:				
5.1	finding of non-compliance	378	296	220	101
5.2	corrective actions taken by economic operators ("voluntary measures")	378	296	218	82
5.3	restrictive measures taken by market surveillance authorities	-	-	7	19

Information on activities in other product sectors can be found on the webpage of the Commission:
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		2010	2011	2012	2013
5.4	application of sanctions/penalties	-	18	21	7
6	Number of inspections where other Member States were invited to collaborate	-	-	-	-

Information on communication activities carried out in the 2010-2013 period (optional)

Since the manufactures of pyrotechnic articles are five Bulgarian companies (outsourcing to China), EU law is implemented in a direct and efficient manner.

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	653 072	649 252	650 465	608 490
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)	75	75	75	75
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	25	25	25	25

B. Assessment of the functioning of market surveillance activities in the sector

The bulk of pyrotechnic articles is placed on the market by Bulgarian producers and complies with the requirements, and as a result of successful cooperation established with the customs authorities and physical examination of the products imported.

Imports of pyrotechnic products from Member States or third countries are limited.

It should be noted that pyrotechnics production, transport, acquisition, sale and storage sites are controlled by the Police (i.e. the Ministry of Interior) - a fact that also contributes to the compliance of pyrotechnic articles placed on the market with the requirements of Directive 2007/23/EC.

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Czech Republic

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	6	11	10	29
2.	Number of substantiated complaints by industry concerning unfair competition	-	-	-	-
3.	Number of inspections (total number)	215	263	232	232
3.1	number of reactive inspections	6	14	47	74
3.2	number of self-initiated inspections	209	249	185	158
3.3	number of inspections prompted by the customs	-	-	-	-
4	Number of inspections based on:				
4.1	tests performed in laboratories	-	-	-	-
4.2	physical checks of products	215	263	232	232
5	Number of inspections resulting in:				
5.1	finding of non-compliance	64	68	57	70
5.2	corrective actions taken by economic operators ("voluntary measures")	-	-	-	-
5.3	restrictive measures taken by market surveillance authorities	-	-	-	-
5.4	application of sanctions/penalties	70	60	62	56
6	Number of inspections where other Member States were invited to collaborate	8	10	11	12

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	n.a.	n.a.	n.a.	n.a.
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)	n.a.	n.a.	n.a.	n.a.
8	Staff available to market surveillance authorities (full-time equivalent units)	5	5	5	5

Information on activities in other product sectors can be found on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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		2010	2011	2012	2013
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	5	5	5	5

B. Assessment of the functioning of market surveillance activities in the sector

The Proof House inspects manufacturers, importers and distributors to determine whether they are meeting statutory obligations when pyrotechnics are placed on the market and resold. A new pyrotechnics law is currently passing through the legislative approval process. This piece of legislation will transpose Directive 2013/29/EU of the European Parliament and of the Council and will also govern market surveillance.

The Czech Proof House for Arms and Ammunition cooperates with other surveillance authorities and the notified bodies of other Member States. The Czech Proof House for Arms and Ammunition attends meetings of the ADCO pyrotechnics working group.

In its work, the Czech Proof House for Arms and Ammunition provides information to consumers and manufacturers, importers and distributors. The Proof House organised several training courses for manufacturers and importers during the transition period to provide explanations in response to questions about changes in the verification and labelling of pyrotechnics. The Czech Proof House for Arms and Ammunition believes that the greatest problems in the surveillance of the pyrotechnics market are as follows:

- **Problem with online sales of pyrotechnics.** Those who are to take ownership of the above-mentioned range of pyrotechnics are subject, among other things, to age limits and the requirement of professional competence. If sales take place through e-shops, there is no guarantee that only approved products (i.e. products that are safe for consumers and meet technical and safety requirements) will be sent. Furthermore, there is no guarantee that products dispatched by an e-shop will not make their way into the hands of unauthorised persons, whether due to non-compliance with the age limit or the requirement of professional competence. We also see a problem in insufficient checks on the fact that explosives, flammable substances, etc., must not be shipped. Nobody runs these checks at present, yet practical experience tells us that all e-shop operators use the post office and similar shipping services. This issue was also raised by the Czech Proof House for Arms and Ammunition at a meeting of EU Member States when the ADCO group for pyrotechnic articles convened on 5–6 March 2013 in Denmark. Other representatives of EU Member States also expressed views in the same vein on this matter.
- **Proof of sales to minors.** In particular, the issue of proof when carrying out follow-up investigations into findings by other surveillance authorities.
- **Sales of pyrotechnics by Asian distributors in border areas.** In particular, the issue of the identification and traceability of persons selling pyrotechnics.

Information on activities in other product sectors can be found on the webpage of the Commission:
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Denmark

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	262	231	241	233
2.	Number of substantiated complaints by industry concerning unfair competition	-	-	-	-
3.	Number of inspections (total number)	43	115	78	50
3.1	number of reactive inspections	4	2	4	2
3.2	number of self-initiated inspections	33	113	74	48
3.3	number of inspections prompted by the customs	-	-	-	-
4	Number of inspections based on:				
4.1	tests performed in laboratories	38	21	31	12
4.2	physical checks of products	38	92	43	33
5	Number of inspections resulting in:				
5.1	finding of non-compliance	18	15	9	6
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities	18	15	9	6
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	36

Information on communication activities carried out in the 2010-2013 period (optional)

The Danish Safety Technology Authority has carried out an annual campaign on fireworks in collaboration with the Danish Health and Medicines Authority and the TrygFonden foundation. The campaign included an information campaign aimed at school children aged 10-15 years, and a general information campaign with television advertisements (www.fyrvaerkeri.dk) and press materials.

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	977 600	594 600	627 400	569 900

Information on activities in other product sectors can be found on the webpage of the Commission:
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		2010	2011	2012	2013
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)	0.00143%	0.00087%	0.00090%	0.00081%
8	Staff available to market surveillance authorities (full-time equivalent units)	10.36	6.10	6.50	5.91
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1.15	2.17	2.25	1.46

B. Assessment of the functioning of market surveillance activities in the sector

The proactive initiatives are carried out by means of the Authority selecting a number of fireworks each year for testing, analysis and checks. The products are selected on the importers' premises. The selection itself is made on the basis of:

- The error rate among the manufacturer's selected products over the last seven years;
- The number of items in storage;
- Risk assessments.

Annual meetings are held with the fireworks sector to present the market surveillance initiatives for the coming year and the results of the previous year's market surveillance initiatives. The impact of proactive market surveillance has been a fall in the number of articles that proved to be flawed during function tests. The impact has also manifested itself as an improvement in self-monitoring by importers. With regard to collaboration with the customs authorities, there is no specific number of cases in the table. In the pyrotechnics sector, the Danish Safety Technology Authority has had a risk profile at SKAT for a number of years. When the customs authorities are notified of imports to Denmark that have been subject to this risk, the Danish Safety Technology Authority is notified. The Danish Safety Technology Authority has used these notifications to plan market surveillance in this sector. Illegal consumer fireworks are rarely found as a result of container inspections, which indicates that importers in this sector have changed their behaviour.

<i>Germany</i>

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

No information

Information on activities in other product sectors can be found on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No information

<i>Estonia</i>

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

Surveillance activities in numbers	2010	2011	2012	2013
Total number of inspections	10	39	40	44
Number of notices sent by the Tax and Customs Board	0	1	1	0
Total number of products inspected	35	125	130	139
Number of products tested	0	0	0	5

Results of surveillance activities	2010	2011	2012	2013
Number of non-compliant products	0	5	8	4
Number of products presenting a serious risk	0	0	0	0

Measures applied	2010	2011	2012	2013
Number of memos	0	2	2	3
Number of orders	1	13	19	9
Number of penalty payments and total amount	0	0	0	0
Number of substitutive enforcements	0	0	0	0
Number of misdemeanour procedures	1	0	0	0
Fines imposed as part of a misdemeanour procedure	1 (651.90€)	0	0	0

Products withdrawn from the market	2010	2011	2012	2013
Total number of products withdrawn from the market	0	0	0	0
Number of products recalled from consumers	0	0	0	0

Information on activities in other product sectors can be found on the webpage of the Commission:
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Number of voluntary measures taken by economic operators	0	0	0	0
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Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

Within the framework of chemicals, in 2011 the Health Board participated in the ad hoc study “Inspection of pyrotechnic articles meant for sales to the general population in wholesale companies in respect of the hexachlorobenzene content within the CLEEN project”. During the ad hoc study and in line with the plan, 10 products were taken for laboratory testing from importers of pyrotechnic articles.

Ireland¹

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	1
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	405	444	470	455
3.1	number of reactive inspections	0	0	0	1
3.2	number of self-initiated inspections	405	444	470	454
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	54	59	68	76
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	0	1	2

¹ Sector 14 (Pyrotechnics) and 15 (Explosives for civil uses) have been put together. Total inspections include documentary checks carried out on all explosives for civil uses and pyrotechnics prior to the issue of an import licence under explosives legislation.

Information on activities in other product sectors can be found on the webpage of the Commission:
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		2010	2011	2012	2013
5.2	corrective actions taken by economic operators (“voluntary measures”)	0	0	1	2
5.3	restrictive measures taken by market surveillance authorities	0	0	1	2
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010-2013 period (optional)

The Inspectorate has produced Guidance on the Legal Obligations of Importers, Distributors and Retailers of Fireworks for Sale, Guidance on the Legal Obligations of Importers, Distributors and Retailers of Airbags and also Guidance for the General Public on Fireworks. These are available on our website

The Department conducts an annual public awareness campaign on the dangers of illegal fireworks and penalties associated with their possession and use. Cost is normally approximately €40,000.

Information on resources (subject to availability)²

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	0	0	0	0
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)	0	0	0	0
8	Staff available to market surveillance authorities (full-time equivalent units)	0.1	0.1	0.1	0.1
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.1	0.1	0.1	0.1

B. Assessment of the functioning of market surveillance activities in the sector

Despite the fact that there is no specific budget or staff allocated to the market surveillance of Pyrotechnics or Explosives for Civil Uses, all products being placed on the market are subject to documentary checks and a representative sample are subjected to further physical checks which ensures compliance with their respective Directives and enforcement action has been taken where non compliances were found.

² No budget, staff or inspectors are specifically allocated for market surveillance. All work in this respect is conducted by the staff and inspectors in the Explosives Inspectorate as part of and in addition to other licensing and inspection functions

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Sector 14 Pyrotechnics

Greece

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	-	-	-	-
2.	Number of substantiated complaints by industry concerning unfair competition	-	-	1	
3.	Number of inspections (total number)	-		11	4
3.1	number of reactive inspections	-	-	1	-
3.2	number of self-initiated inspections ³	-	-	5 + 5	1 + 3
3.3	number of inspections prompted by the customs	-	-	-	-
4	Number of inspections based on:				
4.1	tests performed in laboratories	-	-	-	-
4.2	physical checks of products	-	-		
5	Number of inspections resulting in: ⁴			5 + n.a.	1 + n.a.
5.1	finding of non-compliance	-	-	-	-
5.2	corrective actions taken by economic operators ("voluntary measures")	-	-	-	-
5.3	restrictive measures taken by market surveillance authorities	-	-	-	1 ⁵
5.4	application of sanctions/penalties	-	-	-	-

³ These inspections were carried out in cooperation with Greece's Directorates for Development following the General Secretariat for Industry's instruction to 13 Regional Units to inspect pyrotechnic articles during the Easter holidays. The department does not know the exact number of inspections as there was no obligation to notify it of the relevant reports, but it believes that the number of inspections performed is greater than five in 2012 and greater than three in 2013, corresponding to the number of reports submitted to the department respectively. Note also that the reports submitted represent a much larger number of inspections and audits of economic operators, since these reports are centralised.

⁴ Note that the inspections include pyrotechnic articles bearing the CE marking, whose compliance is checked against Directive 2007/23/EC, and pyrotechnic articles without the CE marking, whose compliance is checked against national provisions (Joint Ministerial Decision (JMD) 3329/89). The non-compliance, therefore, relates to both cases. With regard to the inspections carried out by the Greek Regional Units (5 +3) at the instruction of the General Secretariat for Industry, note that no data are available concerning cases of non-compliance because these data were not notified to our department. We believe that cases of typical, minor non-compliance were observed during these inspections and that recommendations were made to the economic operators which it was not considered appropriate to describe when sending the report to our department.

⁵ Relates to criminal prosecution.

Information on activities in other product sectors can be found on the webpage of the Commission:
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		2010	2011	2012	2013
6	Number of inspections where other Member States were invited to collaborate	-	-	-	-

Information on communication activities carried out in the 2010-2013 period (optional)

During the period 2010-2013, the department:

- in the context of providing information on the regulatory framework applicable to pyrotechnic articles has compiled and posted on the website of the General Secretariat for Industry a handbook on implementation of Directive 2007/23/EC;
- issued to the Greek customs authorities Circular No 1144/75/11.2.2013 on the legal framework of national measures for the import and placing on the market of construction products, plastic pipes, explosives for civil uses and pyrotechnic articles;
- issued Circular No 3714/159/2.4.2012 'Clarifications on the implementation of Joint Ministerial Decision (JMD) 9104/440/2010 (GG II 1159) concerning the placing on the market of pyrotechnic articles'.
- took part in training seminars for officials of the General Secretariat for Industry for inclusion in the inspectors' register, with recommendations on the implementation of Directive 2007/23/EC;
- has been involved in the meetings of the EU's Standing Committee on Pyrotechnic Articles and the meetings of the Administrative Cooperation Group for the Market Surveillance of Pyrotechnic Articles (AdCo).

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	The annual budget for resources related to the General Secretariat for Industry's entire market surveillance operation (for this purpose rows 7.1 and 7.2 have not been completed, which exclusively relate to PYROTECHNIC ARTICLES)			
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)	0	1/3	1/3	1/3
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0	1/3	1/3	1/3

B. Assessment of the functioning of market surveillance activities in the sector

According to estimates, almost all pyrotechnic articles now marketed in the country are imported, mainly from CHINA. Fewer than ten import companies operate in Greece and pyrotechnic articles are distributed by a larger number of retail distributors/shops with marketing authorisations issued by the Ministry of Public Order and Citizen Protection.

Information on activities in other product sectors can be found on the webpage of the Commission:
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Pyrotechnic articles are a specific product for which a significant number of inspections were carried out in cooperation with the Directorates for Development of the Greek Regional Units during the Easter holidays.

The department takes into account that special authorisations from the Ministry of Public Order and Citizen Protection (import, transport and marketing authorisations) are required in order to import and market pyrotechnic articles, during which the CE marking is checked, and the economic operators themselves perform a large number of checks as part of their responsibility for the product.

Spain

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

No information

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No information

France

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints ⁶	1	0	0	2
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	1	0

⁶ Data on accidents are not exhaustive and concern only accidents reported to the Ministry of Ecology.

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		2010	2011	2012	2013
3.	Number of inspections (total number)	13	116	99	113
	National approval	13	115	87	60
	European certificate	0	1	6	39
	Not approved, not certified	0	0	6	14
3.1	number of reactive inspections	0	0	0	3
3.2	number of self-initiated inspections	13	116	99	110
3.3	number of inspections prompted by the customs	n.a.	n.a.	25 ⁷	n.a.
4	Number of inspections based on:				
4.1	tests performed in laboratories	13	116	99	113
4.2	physical checks of products	13	116	99	113
5	Number of inspections resulting in:				
5.1	finding of non-compliance	10	91	75	80
5.2	corrective actions taken by economic operators (“voluntary measures”)	3	18	15	n.a. ⁸
5.3	restrictive measures taken by market surveillance authorities	7	73	60	
5.4	application of sanctions/penalties	0	0	0	
6	Number of inspections where other Member States were invited to collaborate ⁹	0	0	0	

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	Tests: 450 000	Tests: 450 000	Tests: 450 000	Tests: 450 000
8	Staff available to market surveillance authorities (full-time equivalent units)	3	3	3	3
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.7	0.7	0.7	0.7

⁷ Inspections carried out as part of a joint operation by the Ministry of Ecology (DGOPR) and Customs.

⁸ Data not consolidated for 2013: some dossiers are still being examined.

⁹ A report is drawn up following Inspections of certified products and is notified to other Member States (where the manufacturer and the person notifying the certifying body are located).

Information on activities in other product sectors can be found on the webpage of the Commission:
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B. Assessment of the functioning of market surveillance activities in the sector

Cooperation between Member States in this sector is positive overall. However, as it is difficult to obtain replies from economic operators located outside French territory, all the Member States need to cooperate when they are asked by another Member State to take action among operators in their territory. The Commission should encourage the Member State to play more of a part in this cooperation.

<i>Croatia</i>

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections (total number)				2 ¹⁰
3.1	number of reactive inspections				
3.2	number of self-initiated inspections				
3.3	number of inspections prompted by the customs				
4	Number of inspections based on:				
4.1	tests performed in laboratories				
4.2	physical checks of products				
5	Number of inspections resulting in:				
5.1	finding of non-compliance				
5.2	corrective actions taken by economic operators (“voluntary measures”)				
5.3	restrictive measures taken by market surveillance authorities				
5.4	application of sanctions/penalties				
6	Number of inspections where other Member States were invited to collaborate				

Information on communication activities carried out in the 2010-2013 period (optional)

No information

¹⁰ Data in the period 1 July 2013 – 31 December 2013

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Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No information

<i>Italy</i>

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	0	0	0	65
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	0	0	0	65
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	0	0	0
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010-2013 period (optional)

The Ministry of the Interior, Department of Public Security, in its capacity as National Surveillance Authority for the market of pyrotechnic articles with CE marking, has published on the State Police's official website a guide for users entitled "Guides on fireworks". One section is entitled: "Fireworks - let's make things clear" <http://poliziadistato.it/articolo/644/>, another: "Prohibited fireworks" <http://poliziadistato.it/articolo/642/>.

Information on activities in other product sectors can be found on the webpage of the Commission: http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Additional information is provided in the following guides:

"Advice on fireworks" <http://www.poliziadistato.it/articolo/view/10261/>

"How to use them correctly. Safety tips" <http://www.poliziadistato.it/articolo/view/641/>

"For children. Beware of..." <http://www.poliziadistato.it/articolo/view/636/>

All police agencies also have reserved access to an Intranet platform via the address: <http://application.cedinterforze.interno.it/polam/index.php>. This platform has a number of publications including circular, statistics and national and EU legislation on the sector (both pyrotechnic articles and explosives for civil use).

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	0	0	0	0
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)	0	0	0	0
8	Staff available to market surveillance authorities (full-time equivalent units)	0	0	0	0
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0	0	0	0

B. Assessment of the functioning of market surveillance activities in the sector

The greatest difficulty encountered by market surveillance in the sector of explosives (both pyrotechnic articles and explosives for civil use) is that of selecting laboratories for tests to ascertain the products' conformity. The laboratories contacted have pointed out that there are costs to be borne. The lack of national funds earmarked for these activities prevent implementation of the checks. Action by the EU also in the form of funding would be more than welcome.

Funding would also be useful for the training of staff performing checks on documents and on product labelling (e.g. law enforcement, customs and administrative authorities). The working group (ADCO) should draft as soon as possible the guidelines to be used when executing the checks, in order to ensure that surveillance activities are performed uniformly and harmoniously throughout the EU.

Possible comparisons with other countries, via the participation of inspectors from other Member States in the checks, or information on the tests they perform, would be another opportunity to standardise and raise the bar of surveillance activities within the EU.

Information on activities in other product sectors can be found on the webpage of the Commission: http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Cyprus

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	29	27	32	43
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	29	27	31	42
3.3	number of inspections prompted by the customs	0	0	1	1
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	14	16	21	26
5	Number of inspections resulting in:				
5.1	finding of non-compliance	1	0	1	1
5.2	corrective actions taken by economic operators ("voluntary measures")	1	0	1	1
5.3	restrictive measures taken by market surveillance authorities	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010-2013 period (optional)

The Cyprus market is very small. Importers were kept continuously informed about the issues concerning the EU legislation with contacts conducted by the Inspectorate of Explosives. Police conducted campaigns to inform young people about the dangers of fireworks.

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	22 000	22 000	22 000	22 000
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)	3% of Mines Service	3% of Mines Service	3% of Mines Service	3% of Mines Service

Information on activities in other product sectors can be found on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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		2010	2011	2012	2013
8	Staff available to market surveillance authorities (full-time equivalent units)	0.4	0.4	0.4	0.4
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1	1	1	1

B. Assessment of the functioning of market surveillance activities in the sector

In the territory of the Republic of Cyprus there is no manufacture of pyrotechnics. For this reason the main market surveillance activities focus during the import of the pyrotechnics in Cyprus, during their storage and less during their sale. There are only 16 importers (small business) which they make retail distribution. The number of imports from other Member States or third countries during the period 2010-2013 was 51. The sector does not face any particular problems.

Latvia¹¹

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	8	4	10	6
2.	Number of substantiated complaints by industry concerning unfair competition	-	-	-	-
3.	Number of inspections (total number)	374	350	398	399
3.1	number of reactive inspections	-	-	-	-
3.2	number of self-initiated inspections	-	-	-	-
3.3	number of inspections prompted by the customs	-	-	-	-
4	Number of inspections based on:				
4.1	tests performed in laboratories	-	-	-	-
4.2	physical checks of products	-	-	-	-
5	Number of inspections resulting in:				
5.1	finding of non-compliance	-	-	-	-
5.2	corrective actions taken by economic operators (“voluntary measures”)	-	-	-	-

¹¹ Sector 14 (Pyrotechnics) and 15 (Explosives for civil uses) have been put together.

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		2010	2011	2012	2013
5.3	restrictive measures taken by market surveillance authorities	-	-	-	-
5.4	application of sanctions/penalties	-	-	-	-
6	Number of inspections where other Member States were invited to collaborate	-	-	-	-

Information on communication activities carried out in the 2010-2013 period (optional)

At the end of each year, notifications and information is provided on the procedure of sale and purchase of pyrotechnic articles and rules of use (safety requirements).

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

The current number of licenced merchants in Latvia (the number undergoes slight changes and increases at the end of years):

- Licenced traders of pyrotechnic articles – 48 with 81 pyrotechnic article objects;
- Licenced manufacturers of pyrotechnic articles – 1;
- Merchants that have been issued the special permits (licences) for the provision of pyrotechnic services – 17;
- Licenced merchants selling explosives – 4;
- Merchants that have been issued the special permits (licences) for the performance of blasting works – 7.

Lithuania

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

No information

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on activities in other product sectors can be find on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No information

Luxembourg

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

No information

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

Surveillance was carried out sporadically in sales outlets. These inspections comprised visual inspections of labelling and the documentation provided. No accidents were reported.

Hungary

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections (total number)				
3.1	number of reactive inspections				
3.2	number of self-initiated inspections				
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				

Information on activities in other product sectors can be found on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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		2010	2011	2012	2013
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ¹²	0	0	1075	1218
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	0	0	0
5.2	corrective actions taken by economic operators (“voluntary measures”)				
5.3	restrictive measures taken by market surveillance authorities	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010-2013 period (optional)

The National Police Headquarters did not engage in communication activities.

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

The Police did not engage in market surveillance activities, thus no evaluation of those was received from them.

Malta

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of investigations (total number)	0	0	0	6
1.1	%age of investigations prompted by complaints	0	0	0	0
1.2	%age of investigations prompted by accidents or incidents	0	0	0	17
1.3	%age of self-initiated inspections	0	0	0	83

¹² The Police regularly conducted inspections in connection with the authorisation of the performance of pyrotechnical activities; as part of such inspections, they check product labels and the presence of warning notices and information by visual examination.

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		2010	2011	2012	2013
1.4	%age of investigations prompted by information from other Member State authorities (e.g. via RAPEX notifications)	0	0	0	0
2	Number of inspections resulting in:				
2.1	finding of non-compliance	0	0	0	3
2.2	corrective actions taken by economic operators (“voluntary measures”)	0	0	0	1
2.3	restrictive measures taken by market surveillance authorities	0	0	0	2

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

Operations on pyrotechnics were carried out under a Prosafe Joint Action in 2012 involving these products.

<i>Netherlands</i>

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

No information

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

During the 2010-2013 period, the ILT performed checks on compliance with the Fireworks Decree (Vuurwerkbesluit). For market surveillance purposes, roughly 150 samples of fireworks were examined each year. This check mainly took place at fireworks importers. Compliance here during the 2010-2013 period averaged around 60%.

Information on activities in other product sectors can be found on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Of the articles rejected (40 %) more than half were withdrawn from the market by the ILT. In respect of the other articles where deviations had been established, the importer was notified by means of a warning.

In addition, action was and will be taken vis-à-vis transport companies in connection with fireworks in postal packages. One of the reasons for this action was to intercept actual fireworks in postal packages. The outcome was modest in view of the large quantity of postal packages. The other (main) reason for the action was to encourage transport companies to organise their systems in such a way as to prevent future supply of fireworks in postal packages.

Austria

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	n.a.	n.a.	n.a.	n.a.
2.	Number of substantiated complaints by industry concerning unfair competition	n.a.	n.a.	n.a.	n.a.
3.	Number of inspections (total number)	1000	1283	1240	1379
3.1	number of reactive inspections	n.a.	n.a.	n.a.	n.a.
3.2	number of self-initiated inspections	n.a.	n.a.	n.a.	n.a.
3.3	number of inspections prompted by the customs	n.a.	n.a.	n.a.	n.a.
4	Number of inspections based on:				
4.1	tests performed in laboratories	n.a.	n.a.	n.a.	n.a.
4.2	physical checks of products	n.a.	n.a.	n.a.	n.a.
5	Number of inspections resulting in:				
5.1	finding of non-compliance	61	277	211	440
5.2	corrective actions taken by economic operators (“voluntary measures”)	n.a.	n.a.	n.a.	n.a.
5.3	restrictive measures taken by market surveillance authorities	n.a.	n.a.	n.a.	n.a.
5.4	application of sanctions/penalties	n.a.	n.a.	n.a.	n.a.
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on activities in other product sectors can be found on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No detailed information can be given.

<i>Poland</i>

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	2	3	1
2.	Number of substantiated complaints by industry concerning unfair competition	n.a.	n.a.	n.a.	n.a.
3.	Number of inspections (total number)	52	81	144	165
3.1	number of reactive inspections	0	1	3	1
3.2	number of self-initiated inspections	0	79	141	164
3.3	number of inspections prompted by the customs ¹³	0	2	1	0
4	Number of inspections ¹⁴ based on:				
4.1	tests performed in laboratories	0	0	0	24
4.2	physical checks of products	52	81	144	165
5	Number of inspections resulting in:				
5.1	finding of non-compliance	3	10	16	16
5.2	corrective actions taken by economic operators (“voluntary measures”) ¹⁵	1	3	27	37
5.3	restrictive measures taken by market surveillance authorities	0	0	0	1
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

¹³ The number of opinions issued at the request of the customs authorities is given

¹⁴ Estimate data. In case of some authorities the number of products is given

¹⁵ The number of operations is given

Information on activities in other product sectors can be found on the webpage of the Commission:
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Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

Controls in this respect were carried out by the Trade Inspectorate and the National Labour Inspectorate. In the years 2010 – 2013 controls covered 1773 products, challenging 131 of them. Every year (since 2010) reports on measures taken as regards market surveillance for pyrotechnics. The results of controls carried out in 2010 - 2013 indicate that the majority of products meet formal requirements regarding marking. Cases of non-compliance in this respect apply on average to approximately 7 per cent of products checked. Among products subject to the previous legal regime (in accordance with the transition period they can be marketed until 4 July 2017), this percentage is definitely higher than among products with CE marking. This means an increase of awareness among operators as regards requirements for pyrotechnics placed on the market. Control measures of market surveillance authorities certainly contributed to this increased awareness. Regular checks by the Trade Inspectorate regarding correct assessment of compliance raise the awareness of producers and importers, indicating how important it is to check and confirm that goods placed on the market meet the relevant requirements. Owners of shops, in particular of small ones, are frequently not aware of what requirements pyrotechnics must meet. Therefore, during controls, Trade Inspectors inform the operators subject to control about the latest changes in legislation. In cases where non-compliance of products with the essential requirements is found, entities which place those products on the market usually undertake corrective actions voluntarily. Thus, there is no need to apply administrative constraint. Results of laboratory tests of categories 1 to 3 fireworks carried out in 2013 are much less satisfactory. Construction and functional defects were found in 33 % of products examined, whereas some of them caused serious risks for their users. This indicates that it is necessary to permanently include laboratory testing in control activities. At the same time, in products challenged there were no cases of non-compliance as regards marking. This means that products whose marking is satisfactory should also be selected for laboratory testing. There is no doubt that broadly undertaken international cooperation and related exchange of experience which makes it possible to develop good practices in the control of pyrotechnics, and to improve efficiency of these controls, has a beneficial effect on the functioning of the market surveillance system in Poland. The Office for Competition and Consumer Protection (UOKiK) is a member of the Administrative Cooperation Group for market surveillance of pyrotechnic articles (ADCO-PA). In 2015 UOKiK will take a chairmanship in the Group. In addition to the cooperation within the ADCO-PA Group, UOKiK undertook ad-hoc cooperation with market surveillance authorities in other Member States, resulting from the implementation of control measures. UOKiK also participated in the EU project "Joint Action – Fireworks", focussed on controls of categories 1 to 3 items, including laboratory tests of samples. The project aimed at creating

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conditions for international cooperation in the market surveillance of fireworks, by developing good control practices and by making the results of the project available to all Member States. Belgium, Bulgaria, Denmark, Malta, the Netherlands, Norway, Poland, Portugal, Slovenia and Sweden participated in the project. 138 samples were tested in total. 40 percent of them did not meet the essential requirements.

Portugal

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period¹⁶

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	402 (partial)	3921	4672	5996
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	402 (partial)	3921	4672	5995
3.3	number of inspections prompted by the customs	Please see the document from the Tax Authority			
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	10
4.2	physical checks of products	0	0	0	10
5	Number of inspections resulting in:				
5.1	finding of non-compliance	238 (partial)	238 (partial)	6832	5039
5.2	corrective actions taken by economic operators ("voluntary measures")	n.a.	n.a.	n.a.	n.a.
5.3	restrictive measures taken by market surveillance authorities	238	238	6832	5043
5.4	application of sanctions/penalties	Different administrative and criminal penalties were applied. Exact number not available			

¹⁶ Data on pyrotechnic products sector for DNPSP/DAE are combined with data from the sector for civil use explosives. The figures in the table above on control activities were collated from annual statistical reports by the DAE Investigation and Inspection Department and other competent divisions.

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		2010	2011	2012	2013
6	Number of inspections where other Member States were invited to collaborate				

Information on communication activities carried out in the 2010-2013 period (optional)

ASAE shares market-surveillance in this field with another surveillance authority (DNPSP- DAE). However, the verification of legal requirements, in matters relating to the affixation of the CE marking and the respective conformity assessment is the responsibility of the ASAE. Documentary inspection procedures, sample collection procedures and checklists have been drawn up. It participated in a seminar, promoted by the University of Coimbra in partnership with the Spanish Notified Body AIDICO, in which clarifications were provided on the application of legislation.

Information on resources (subject to availability)

Amounts available for inspection are not accounted for individually or per activity as, due to the way services are structured, most of the personnel involved in market-surveillance also carry out other tasks, very often associated to the field but not exclusively. As such, the budget made available to the authorities who conduct inspections, is also for other activities.

B. Assessment of the functioning of market surveillance activities in the sector

[ASAE] The ASAE participated in a joint action called Joint Action 2011 'Fireworks' organised by PROSAFE (Product Safety Forum of Europe) and supported by the European Commission. During this action, it collected ten samples of pyrotechnics. Sample collection was carried out on economic operators with importer status. The major difficulty in participating in the aforementioned activity was directly linked to the fact that there are technical rules in both Portugal and Spain, which makes it hard for ASAE to participate in cooperative action as they constitute a barrier to the free circulation of goods. However, the most negative aspect was the difficulty in sending samples to the AIDICO laboratory, which only took place six months after sample collection, which meant that the results of ASAE participation were not positive. In reality, Directive 2007/23/EC and its amendments equate to Community harmonisation legislation on products that benefit from the free circulation of goods. However, the reality is very different, as in this case the technical rules continue to overlap with the Community harmonisation legislation.

[DNPSP-DAE] During the period under review, there was a noticeable development in surveillance activities which were enhanced, widened and increased in number, expanding into other areas somehow linked to the arms and explosives sector. As a result of this increase in inspections, there was a natural reduction in the number of cases of nonconformity detected, which reflects the effort and care with which these actions are planned and carried out. The sector is also in the process of adapting to the new rules and seeking to comply with that which has been established.

Information on activities in other product sectors can be found on the webpage of the Commission:
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Romania

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	42	45	66	79
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	42	45	66	79
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	42	45	66	79
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	5	6	4
5.2	corrective actions taken by economic operators (“voluntary measures”)	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities	0	5	6	4
5.4	application of sanctions/penalties	0	5	6	4
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No information

Information on activities in other product sectors can be found on the webpage of the Commission:
http://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/index_en.htm

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Slovenia

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	25	12	15	16
2.	Number of substantiated complaints by industry concerning unfair competition	-	-	-	-
3.	Number of inspections (total number)	13	24	4	67
3.1	number of reactive inspections	2	-	-	-
3.2	number of self-initiated inspections	-	-	-	6
3.3	number of inspections prompted by the customs	-	-	-	-

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

As the Slovenian market surveillance authority in the explosives and pyrotechnic articles sector, the IRSNZ carried out checks of the conformity of explosives and pyrotechnic articles for civil uses in cooperation with the Internal Market Directorate at the Ministry of Economy within the context of the requirements of Regulation (EC) No 765/2008. For the effective implementation of these market surveillance activities, the IRSNZ checked the conformity of essential safety and technical properties of explosives and pyrotechnic articles through checks of conformity documents.

The IRSNZ checked in particular how operators guaranteed the safety of health, life and property in the manufacture and circulation of explosives or pyrotechnic articles, and in the use of explosives and implementation of fireworks. The fulfilment of prescribed conditions for the adequacy of sales and storage premises, the fulfilment of personal conditions for persons performing or responsible for safe work with explosives or pyrotechnic articles, and the keeping of prescribed records of manufacture or circulation were also checked.

As well as checks of retail sales of pyrotechnic articles, the IRSNZ carried out checks of the conformity of technical and safety characteristics of category 2 pyrotechnic articles in the context of the cooperation of Member State authorities for surveillance of the internal pyrotechnic market in a

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joint action by the surveillance authorities of Member States as part of the JA PROSAFE 2011-Fireworks project.

Conformity checks covered the six largest Slovenian suppliers of pyrotechnic articles. The results of testing at the notified body for conformity assessment revealed that for 40% of samples of pyrotechnic articles non-compliance was identified of a type that necessitated the removal of these articles from sale (around 3,500 items). The non-compliant products were all from category 2, namely banger batteries. It should be emphasised that all these articles were marked as compliant, as proved by the CE marking and the traceability registration number that applies to pyrotechnic articles tested in an authorised EU laboratory (notified body) pursuant to Directive 2007/23/EC on pyrotechnic articles, and could therefore be placed on the internal market of the EU in any Member State.

In the context of the rapid alert system for hazardous articles on the internal market (RAPEX) the IRSNZ also dealt with notifications received, on the basis of a request from the Slovenian control point, and found that no hazardous pyrotechnic article had been placed on the internal market of the EU or was on sale on the Slovenian market.

On the basis of identifications of non-compliant pyrotechnic articles placed on sale by Slovenian suppliers and the adoption of adequate inspection measures for the withdrawal of such articles from the market, it has been shown that inspectors would need, in addition to the power to impose a temporary prohibition of purchase, sale and use of such articles, the power to impose an irrevocable ban, since in the case of articles which have a critical non-compliance in their construction (for example the noise of the bang is above the permitted level, the flight of burning particles is outside the safety distance, the burning time of the fuse is too short or too long), this cannot be rectified and a temporary ban does not make sense. The IRSNZ therefore drew up appropriate proposals for the preparation of amendments to the Explosives and Pyrotechnic Articles Act.

Slovak Republic

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	3	10	2	3
2.	Number of substantiated complaints by industry concerning unfair competition	12/4	41/11	7/2	15/2
3.	Number of inspections (total number)	274	291	189	225
3.1	number of reactive inspections	1	2	0	15
3.2	number of self-initiated inspections	273	289	189	210

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		2010	2011	2012	2013
3.3	number of inspections prompted by the customs	n.a.	n.a.	n.a.	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	n.a.	n.a.	n.a.	n.a.
4.2	physical checks of products	225	231	144	164
5	Number of inspections resulting in:				
5.1	finding of non-compliance	47	117	39	40
5.2	corrective actions taken by economic operators (“voluntary measures”)	n.a.	n.a.	n.a.	n.a.
5.3	restrictive measures taken by market surveillance authorities	n.a.	n.a.	n.a.	n.a.
5.4	application of sanctions/penalties	23	24	34	7
6	Number of inspections where other Member States were invited to collaborate	n.a.	n.a.	n.a.	n.a.

Information on communication activities carried out in the 2010-2013 period (optional)

The Slovak Trade Inspectorate publishes information on vocational training, new regulations for businesses, and dangerous products in this area on its website at www.soi.sk.

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	n.a.	n.a.	n.a.	n.a.
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)	n.a.	n.a.	n.a.	n.a.
8	Staff available to market surveillance authorities (full-time equivalent units)	n.a.	n.a.	n.a.	n.a.
9	Number of inspectors available to market surveillance authorities (full-time equivalent units) ¹⁷	17	17	17	17

B. Assessment of the functioning of market surveillance activities in the sector

The figures in the tables are the results of inspections of compliance with Directive 2007/23/EC and national legislation, because, in the years evaluated, parallel products made under both of the cited regulations could be found on the market.

¹⁷ estimate

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The surveillance authorities for Directive 2007/23/EC are the Main Mining Office and the Slovak Trade Inspectorate. The Trade Inspectorate, as the surveillance authority, only covers compliance with technical requirements under the said legislation. Inspections at sellers are conducted by the Main Mining Office. The numbers of inspectors are only a rough estimate for the Trade Inspectorate because inspectors in the regions carry out market surveillance of multiple products and their working time devoted to the inspection of pyrotechnic articles was not specifically monitored. The Main Mining Office did not supply us with the number of inspectors or the financial resources earmarked for the market surveillance of pyrotechnic articles.

Several problems arise in sales of pyrotechnic articles to consumers, the largest being the lack of knowledge of legislation and poor record-keeping of pyrotechnic articles. Some products were not accompanied by a declaration of conformity.

<i>Finland</i>

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	24	19	21	22
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	40	25	34	46
3.1	number of reactive inspections	1	0	3	7
3.2	number of self-initiated inspections	39	25	31	39
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	0	108	62	79
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	3	3	1
5.2	corrective actions taken by economic operators (“voluntary measures”)	0	1	0	1
5.3	restrictive measures taken by market surveillance authorities	0	2	3	0
5.4	application of sanctions/penalties	0	0	0	0

Information on activities in other product sectors can be found on the webpage of the Commission:
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		2010	2011	2012	2013
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010-2013 period (optional)

Communication activities carried out in the 2010-2013 period in the field of pyrotechnic articles:

- Yearly fireworks campaign against eye injuries
- Yearly letters to Fire and Rescue department concerning the sale of fireworks
- Information to queries from Customs about rules of importing explosives

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	200 000	213 000	207 000	227 000
7.2	Budget available to market surveillance authorities in relative terms (% age of total national budget)	0.0004	0.0004	0.0004	0.0004
8	Staff available to market surveillance authorities (full-time equivalent units)	1.7	1.7	1.7	1.7
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1.5	1.5	1.5	1.5

B. Assessment of the functioning of market surveillance activities in the sector

Fireworks approved according to the national legislation are still the majority on the Finnish market. However both nationally approved and CE-marked fireworks have been subjected to surveillance and tests relating to sound pressure and/or certain chemicals:

HCB1	2011	2012	2013
Nationally approved	17 (2)	15	
CE	1	3	3
Sound Pressure + functioning	2011	2012	2013
Nationally approved			18(1) + 7(2)
CE			7
Functioning tests only	2011	2012	2013
Nationally approved		35	7 (2)
CE		19	

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Sweden

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	1		5	5
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections (total number)	3	2	1	8
3.1	number of reactive inspections	1		1	4
3.2	number of self-initiated inspections	2	3		4
3.3	number of inspections prompted by the customs				
4	Number of inspections based on:				
4.1	tests performed in laboratories				
4.2	physical checks of products	2	1		2
5	Number of inspections resulting in:				
5.1	finding of non-compliance	4	10	1	7
5.2	corrective actions taken by economic operators ("voluntary measures")	3	10	1	2
5.3	restrictive measures taken by market surveillance authorities	1			6
5.4	application of sanctions/penalties				
6	Number of inspections where other Member States were invited to collaborate				

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

No information

Information on activities in other product sectors can be found on the webpage of the Commission:
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United Kingdom

A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010-2013 period

No information

Information on communication activities carried out in the 2010-2013 period (optional)

No information

Information on resources (subject to availability)

No information

B. Assessment of the functioning of market surveillance activities in the sector

HSE have enforcement responsibility for this Directive. Trading Standards have enforcement responsibility when it is a consumer product. Generally, HSE's activities are not based on industries or sectors – but is a risk- based approach identifying machinery/equipment where there is a known or suspected problems, or based on information received about particular products. The enforcement of legislation covering workplace goods is undertaken by the HSE Product Safety Team which has created a network of 'virtual' product safety teams across Great Britain. These teams involve product safety specialists who take the lead on product supply issues that arise from the initial findings of other inspectors who carry out more general responsibilities working across business. Because of the migration of professional goods towards the consumer, HSE and Local Authorities co-operate.

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