

*Ministry of Infrastructure and
Transport*

*DEPARTMENT FOR TRANSPORT, NAVIGATION,
INFORMATION SYSTEMS AND STATISTICS
DIRECTORATE-GENERAL FOR MARITIME TRANSPORT
AND INLAND WATERWAYS*

*DIVISION 5
Technical and administrative arrangements for ships and
recreational craft*

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Directorate-General for Maritime Transport and Inland
Waterways
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**Ministry of Economic Development
Department for Business and
Internationalisation
DG – MCCVNT
Division XVI
Product Safety and Conformity
Via Sallustiana, 53
00187 ROME**

**Sent by fax to +39 0647055379
Reply to the memorandum of 5 March 2013
Ref. No 38036**

SUBJECT: Market surveillance and control of products originating from third countries: organisational requirements of Member States in accordance with Article 8(5) of Regulation (EC) No 765/2008. 2013 report.

Further to the above-mentioned memorandum, please find enclosed the completed questionnaire accompanied by the 2013 report, for areas within the jurisdiction of this Directorate-General.

It is worth pointing out that the market surveillance of recreational craft is carried out, in accordance with Article 11 of Legislative Decree 171/2005, for the Ministry of Infrastructure and Transport by Division 5 of this Directorate-General, jointly with Division XVIII of the Directorate-General for Markets, Competition, Consumers, Surveillance and Technical Standards at this Ministry.

Please do not hesitate to contact us should you require any further information.

Director-General
(Enrico Maria Pujia)

[Signature]

MINISTRY OF INFRASTRUCTURE AND TRANSPORT
Department for Transport, Navigation, Information Systems and Statistics
Directorate-General for Maritime Transport and Inland Waterways

SECTOR-SPECIFIC NATIONAL MARKET SURVEILLANCE PROGRAMMES (NMSP)

Member State: ITALY

2013 Plan

Market Surveillance Authority: Ministry of Infrastructure and Transport – Directorate-General for Maritime Transport and Inland Waterways

Person responsible for the NMSP sector: DG ENRICO MARIA PUJIA

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Applicable EU legislation	Directive 94/25/EC, as amended by Directive 2003/44/EC
Sector	Recreational craft
Description of product or category	Recreational vessel 2.5 m < Length < 24 m
Monitoring type	<ul style="list-style-type: none">- Reactive- Proactive
Monitoring grounds	<ul style="list-style-type: none">- Reports- Scheduled annual monitoring- RAPEX notification
Monitoring activity	<ul style="list-style-type: none">- Document check- Visual inspection
Priority	-
Period or start date	- January 2013
Development	<ul style="list-style-type: none">- National initiative- Cooperation with other Ministries or interested parties- Cooperation with the RCD ADCO Group
Results or future initiatives	<ul style="list-style-type: none">- Public information stands at trade fairs or shows- Involvement of the Customs Agency
Contact person	<p>Name: Antonello Puccini E-mail: antonello.puccini@mit.gov.it Tel. +39 0659084886 Fax +39 0659084924</p> <p>Name: Giancarlo Ferrari E-mail: giancarlo.ferrari@mit.gov.it Tel. +39 0659084699 Fax +39 0659083149</p>

MINISTRY OF INFRASTRUCTURE AND TRANSPORT
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Division 5 – Technical and administrative arrangements for ships and recreational craft

Annex to the 2013 template

Report on market surveillance in the recreational craft sector

As we know, Directive 94/25/EC, transposed by Legislative Decree No 436 of 14 August 1996, was amended by Directive 2003/44/EC, transposed by Legislative Decree No 171 of 18 July 2005 (Recreational Craft Code).

Article 11(1) of Legislative Decree 171 states that market surveillance of recreational craft must be carried out, jointly and according to their respective areas of competence, by the Ministry of Economic Development and the Ministry of Infrastructure and Transport.

Within this legislative framework, in terms of the area of competence of the Ministry of Infrastructure and Transport and the Directorate-General for Maritime Transport and Inland Waterways, market surveillance of recreational craft is one of the official duties of Division 5.

These duties consist of verifying the conformity of recreational vessels and components with the requirements of the above-mentioned Legislative Decree, by means of specific checks and targeted inspections on the market, if necessary based on random samples (Article 11(3)), and of examining technical documents, as referred to in Annex IX of the Decree itself, which the manufacturer or its authorised representative in the territory are required to keep for 10 years (Article 11(5)).

Therefore, inspections and controls may be carried out by this Division 5 at: the manufacturer of the recreational vessel, jet ski or components (Article 4(1)), the manufacturer's secondary warehouses, wholesalers, importers, retailers and users.

For all of the above, with the necessary funding and available human resources, this office intends to carry out market surveillance and product controls in 2013 based on the essential requirements in terms of safety, health, environment and consumer protection (Article 6(1) of Legislative Decree 171/2005). To that end, this office will continue to work with the special working group set up for the RCD ADCO in order to draft a risk assessment document.

We are also in talks with the Customs Agency, jointly with the competent office of the Ministry of Economic Development, with a view to coordinating surveillance activities at customs borders based on checklists for product documents.

During the year, there are plans to audit the following, both through on-site inspections and document checks after a preliminary investigation:

- around 10 Italian manufacturers with a wide variety of operations, ranging from large boatyards to small individual firms or producers specialising in individual boats, to those that are involved exclusively in manufacturing inflatable dinghies, jet skis and components;
- around 10 vessels from importers and resellers of boats manufactured both in Italy and in the EU or originating from third countries;
- a number of product controls and inspections which are not quantifiable since they are based on reports and complaints of non-conformity received directly from members of the public or from legal cases involving disputes between the parties, as well as information received from agencies responsible for monitoring safety at sea;
- around six inspections at specialist trade fairs and boat shows;
- participation at three specialist trade fairs and boat shows with a public information stand, depending on the specific resources available.

Director
(Antonello Puccini) [Signature]

Rome, 20 March 2013