



**REPUBLIC OF CYPRUS**

***NATIONAL MARKET SURVEILLANCE  
PROGRAMME***

***2015***

***CYPRUS***

## Contents

1. GENERAL MARKET SURVEILLANCE ORGANISATION AND INFRASTRUCTURE.....	5
1.1. Identification and responsibilities of national market surveillance authorities .....	5
1.2. Coordination and cooperation mechanisms between national market surveillance authorities.....	8
1.3. Cooperation between national market surveillance authorities and customs.....	8
1.4. Rapid information exchange system - RAPEX.....	9
1.5. ICSMS information system.....	10
1.6. General description of market surveillance activities and relevant procedures.....	10
1.7. General framework of cooperation with other Member States and non-member states.....	11
1.8. Evaluation of Market surveillance actions and reporting.....	11
1.9. Horizontal activities planned for the relevant period.....	11
2. MARKET SURVEILLANCE IN SPECIFIC SECTORS.....	13
2.1. Sector - Medical Devices.....	13
2.1.1. Responsible authority and contact details.....	13
2.1.2. Market surveillance procedures and strategy.....	13
2.1.3. Report from activities carried out under the previous planning period.....	14
2.2. Sector – Toys.....	16
2.2.1. Responsible authority and contact details.....	16
2.2.2. Market surveillance procedures and strategy.....	16
2.2.3. Report from activities carried out under the previous planning period.....	17
2.3. Sector – Personal Protective Equipment, Simple Pressure Vessels, Pressure Equipment, Machinery, Lifts, Noise Emissions for Outdoor Equipment, Equipment and Protective Systems Intended for Use in Explosive Atmospheres.....	18
2.3.1. Responsible authority and contact details.....	18
2.3.2. Market surveillance procedures and strategy.....	19
2.4. Sector – Construction Products.....	21
2.4.1. Responsible authority and contact details.....	21
2.4.2. Market surveillance procedures and strategy.....	21
2.4.3. Report from activities carried out under the previous planning period.....	22

2.5.	Sector – Aerosol dispensers.....	23
2.5.1.	Responsible authority and contact details .....	23
2.5.2.	Market surveillance procedures and strategy .....	23
2.5.3.	Report from activities carried out under the previous planning period.....	24
2.6.	Sector – Transportable pressure equipment .....	25
2.6.1.	Responsible authority and contact details .....	25
2.6.2.	Market surveillance procedures and strategy .....	25
2.6.3.	Report from activities carried out under the previous planning period.....	26
2.7.	Sector – Cableways .....	27
2.7.1.	Responsible authority and contact details .....	27
2.7.2.	Market surveillance procedures and strategy .....	27
2.8.	Sector – Pyrotechnics .....	28
2.8.1.	Responsible authority and contact details .....	28
2.8.2.	Market surveillance procedures and strategy .....	28
2.8.3.	Report from activities carried out under the previous planning period.....	29
2.9.	Sector – Explosives for civil uses.....	30
2.9.1.	Responsible authority and contact details .....	30
2.9.2.	Market surveillance procedures and strategy .....	30
2.9.3.	Report from activities carried out under the previous planning period.....	31
2.10.	Sector – Appliances burning gaseous fuels.....	32
2.10.1.	Responsible authority and contact details .....	32
2.10.2.	Market surveillance procedures and strategy .....	32
2.10.3.	Report from activities carried out under the previous planning period .....	33
2.11.	Sector – Measuring Instruments, Non-automatic Weighing Instruments, Pre-packaged Products .....	34
2.11.1.	Responsible authority and contact details .....	34
2.11.2.	Market surveillance procedures and strategy .....	35
2.11.3.	Report from activities carried out under the previous planning period .....	35
2.12.	Sector – Electrical equipment under EMC.....	37
2.12.1.	Responsible authority and contact details .....	37
2.12.2.	Market surveillance procedures and strategy .....	37
2.12.3.	Report from activities carried out under the previous planning period .....	39

2.13. Sector – Radio and telecom equipment under RTTE .....	40
2.13.1. Responsible authority and contact details .....	40
2.13.2. Market surveillance procedures and strategy .....	41
2.13.3. Report from activities carried out under the previous planning period .....	42
2.14. Sector – Electrical appliances and equipment under LVD.....	43
2.14.1. Responsible authority and contact details .....	43
2.14.2. Market surveillance procedures and strategy .....	43
2.14.3. Report from activities carried out under the previous planning period .....	45
2.15. Sector – Eco-design and Energy Labelling .....	46
2.15.1. Responsible authority and contact details .....	46
2.15.2. Market surveillance procedures and strategy .....	46
2.15.3. Report from activities carried out under the previous planning period .....	49
2.16. Sector – Tyre labelling .....	50
2.16.1. Responsible authority and contact details .....	50
2.16.2. Market surveillance procedures and strategy .....	50
2.16.3. Report from activities carried out under the previous planning period .....	51
2.17. Sector – Recreational Craft .....	52
2.17.1. Responsible authority and contact details .....	52
2.17.2. Market surveillance procedures and strategy .....	52
2.17.3. Report from activities carried out under the previous planning period .....	54

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

The Ministry of Energy, Commerce, Industry and Tourism of Cyprus consists of seven services and departments, including Industrial Development and Technology Service, Trade Service, Hydrocarbon Service, Energy Service, Competition and Consumer Protection Service, Weights and Measures Section and Department of the Registrar of Companies and Official Receiver .

Competition and Consumer Protection Service (CCPS) is the National Market Surveillance Authority, responsible for the coordination and the effective implementation of the National Framework Law “The Essential Requirements to be fulfilled by Specific Product Categories Law of 2002 to 2013” (implementation of 20 New Approach Directives) as well as the Regulation (EC) 765/2008 of the European Parliament and the Council.

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

As mentioned above the Competition and Consumer Protection Service (CCPS) has the responsibility of coordinating the Market Surveillance Authorities, informing, advising and guiding the consumers and economic operators for the effective implementation of the National Framework Law for New Approach Directives and the Regulation (EC) 765/2008.

The contact details of CCPS are:

Address: Ministry of Energy, Commerce, Industry and Tourism

6, Andrea Araouzou Street

1076 Nicosia

Cyprus

Telephone: +357 22867100

Fax: +357 22375120

E-mail: [perm.sec@mcit.gov.cy](mailto:perm.sec@mcit.gov.cy)

Website: [www.mcit.gov.cy](http://www.mcit.gov.cy)

The responsibilities of the Market Surveillance Authorities (MSAs) are shown in the following table.

<b>No.</b>	<b>Name of the Authority</b>	<b>Applicable EU legislation</b>
1	MINISTRY OF ENERGY, COMMERCE, INDUSTRY & TOURISM (MECIT) - Competition & Consumer Protection Service	<ul style="list-style-type: none"> <li>• Toys - 2009/48/EC</li> </ul>
2	MINISTRY OF ENERGY, COMMERCE, INDUSTRY & TOURISM (MECIT) - Energy Service	<ul style="list-style-type: none"> <li>• Eco-design and Energy Labelling; Efficiency Requirements for Hot-Boilers Fired with Liquid or Gaseous Fuels - 2009/125/EC and 2010/30/EU; 1992/42/EEC</li> <li>• Tyre Labelling - Reg. (EC) 1222/2009</li> </ul>
3	MINISTRY OF ENERGY, COMMERCE, INDUSTRY & TOURISM (MECIT) - Weights & Measures Service	<ul style="list-style-type: none"> <li>• Measuring instruments (MID) - 2004/22/EC</li> <li>• Non-automatic Weighing Instruments (NAWI) - 2009/23/EC</li> <li>• Pre-packaged Products (PPD) - 2007/45/EC</li> </ul>
4	MINISTRY OF AGRICULTURE, NATURAL RESOURCES & ENVIRONMENT (MANRE) - Inspectorate of Explosive Substances	<ul style="list-style-type: none"> <li>• Pyrotechnics - 2007/23/EC</li> <li>• Explosives for Civil Uses (CIVEX) - 93/15/EEC</li> </ul>
5	MINISTRY OF HEALTH (MOH) - Cyprus Medical Devices Competent Authority	<ul style="list-style-type: none"> <li>• Medical Devices (MDD) - 93/42/EEC</li> <li>• In Vitro Diagnostic Medical Devices (IVMD) - 98/79/EC</li> <li>• Active Implantable Medical Devices (AIMD) - 90/385/EEC</li> </ul>
6	MINISTRY OF INTERIOR (MOI) – Construction Products Sector, Technical Services	<ul style="list-style-type: none"> <li>• Construction products (CPR) - Reg. (EU) 305/2011</li> </ul>
7	MINISTRY OF LABOUR & SOCIAL INSURANCE (MLSI) - Department of Labour Inspection	<ul style="list-style-type: none"> <li>• Personal Protective Equipment (PPE) - 89/686/EEC</li> <li>• Simple Pressure Vessels (SPVD) - 2009/105/EC</li> </ul>

		<ul style="list-style-type: none"> <li>• Pressure Equipment (PED) - 97/23/EC</li> <li>• Machinery (MD) - 2006/42/EC</li> <li>• Lifts (LD) - 1995/16/EC</li> <li>• Noise Emissions for Outdoor Equipment - 2000/14/EC</li> <li>• Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres (ATEX) - 1994/9/EC</li> </ul>
8	MINISTRY OF COMMUNICATION & WORKS (MCW) - Department of Electrical & Mechanical Services	<ul style="list-style-type: none"> <li>• Aerosol Dispensers (ADD) - 75/324/EEC</li> <li>• Transportable Pressure Equipment (TPE) - 2010/35/EU</li> <li>• Cableways - 2000/9/EC</li> <li>• Appliances Burning Gaseous Fuels (GAD) - 2009/142/EC</li> <li>• Electrical Equipment under EMC - 2004/108/EC</li> <li>• Electrical Appliances and Equipment under LVD - 2006/95/EC</li> </ul>
9	MINISTRY OF COMMUNICATION & WORKS (MCW) - Department of Merchant Shipping	<ul style="list-style-type: none"> <li>• Recreational Crafts - 1994/25/EC</li> </ul>
10	MINISTRY OF COMMUNICATION & WORKS (MCW) - Department of Electronic Communications / Office of the Commissioner of Electronic Communications and Postal Reg.	<ul style="list-style-type: none"> <li>• Radio and TLC equipment under RTTE - 1999/5/EC</li> </ul>

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

CCPS is responsible for the coordination of all the Market Surveillance Authorities in Cyprus as mentioned in the table shown in ANNEX B.

Market Surveillance Authorities are met twice a year in order to discuss any problems arise as well as difficulties in carrying out their market surveillance activities. The Customs and Excise Department is also invited in the meetings. Moreover, there is a frequent communication on daily matters and exchange of information including phone conversations or by official letters and electronic means.

Finally, the forthcoming amendment of the national law will include the establishment of a Market Surveillance Advisory Committee, the composition of which is determined by the Council of Ministers. The operation of this committee will be determined by internal regulations. This amendment is intended to enter into force by the end of the year. It is foreseen that this Committee will improve the coordination and cooperation between the MSAs.

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

According to the Article 27 of Regulation (EC) 765/2008, Customs and Excise Department is the responsible authority for the external border controls. Thus, all market surveillance authorities (MSAs), CCPS as the coordinator authority and Customs and Excise Department, exchange information and cooperate for the effective enforcement of the National Laws and Regulation (EC) 765/2008.

The Department of Customs & Excise of the Republic of Cyprus is responsible for carrying out initial checks, at the first point of entry, on the safety and compliance of the imported products. The Customs authorities can perform documentary, physical checks and when there is a suspicion that the products present a serious risk to health, safety, environment or other public interest and/or do not fulfil documentation and marking requirements and/or the CE marking has been affixed in a false or misleading manner, they suspend the release of the products and notify the market surveillance of their decisions, which in turn must be in a position to take appropriate action. The release for free circulation has to remain suspended until the market surveillance authority has made a final decision within 3 working days. If the Market Surveillance Authority ascertains that the products present a serious risk, it must prohibit their placing in the EU market. In that case the MSA has to request the customs authorities to mark the commercial invoice accompanying the product, and any other relevant accompanying document, with the words “Dangerous product-release for free circulation not authorised-Regulation (EC) no 765/2008”. If the products do not present a serious risk to health and safety or cannot be regarded as being in breach of Union harmonisation legislation, they can be released.

The most effective way to avoid the placing of non-conformity or unsafe products imported from third countries on the union market is to carry out adequate checks during the import control process. This requires involvement of customs and cooperation between customs and MSA. The Department of Customs & Excise has an important role in supporting MSA in carrying out product safety and compliance controls at the external borders (entry and exit points). The cooperation at national level through joined training, joint seminars and joint operations allows a common approach taken by customs and MSA during the control process.



An emphasis is put on the exchange of information and establishment of risk profiles beforehand. MSA facilitate customs controls by giving specific information associated with customs declarations so thus they can be profiled in order to target products. Due to the small size of the country, inspections are made often by Customs and Excise Department, while through the exchange of samples and direct informing, advising, and guiding from MSAs, decisions are taken in a short period of time resulting in a very reliable mode of operation.

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

CCPS is also responsible for the operation of the RAPEX system as well as the National Contact Point of Cyprus to the European Commission. In order to fulfil its obligations for the operation of the RAPEX system, CCPS cooperates with other governmental authorities responsible for the market surveillance on issues related to product safety. The circulation of the relevant information and the communication of the National Contact Point with the Competent Authorities is carried out by electronic means. The daily work of the National Contact Point includes the following:

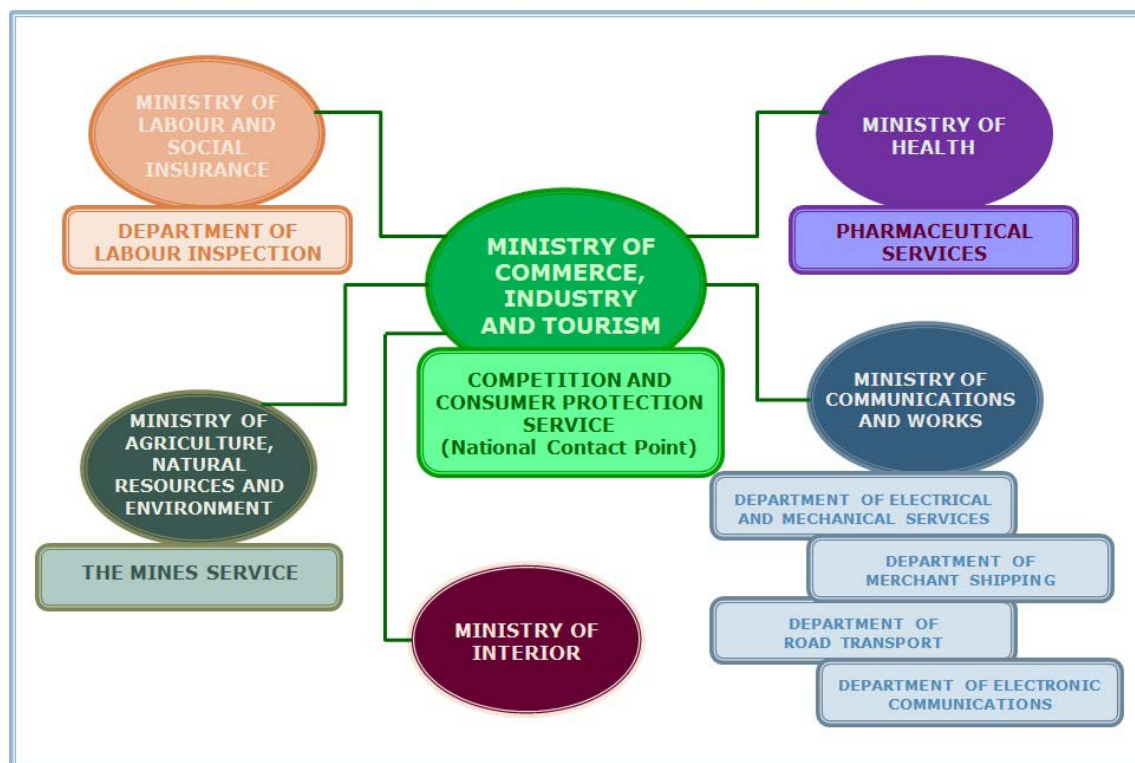
- collection of information through the system
- grading/sorting of notifications according to competent authority
- informing the competent authorities accordingly
- issuing of a weekly press release
- informing the system

The product categories most frequently notified in RAPEX by Cyprus are the following: toys, children clothing, electrical appliances, products falling under REACH, stationery, childcare articles and lighters.

On a frequent basis the Customs and Excise Department receive information from the MSA about measures and actions taken in relation to consumer products that pose a serious risk to the health and safety of consumers, according to the publications/notifications of RAPEX system.

The following diagram shows the responsible authorities for the operation of RAPEX in Cyprus:

## Distribution of RAPEX notifications



### 1.5. ICSMS information system

ICSMS is being used in Cyprus since July 2008 and all MSAs and Customs Authorities have been trained for using it. Each MSA is responsible for data entry into ICSMS within its areas of competence.

The functions of the ICSMS national contact point are fulfilled by the Competition and Consumer Protection Service (CCPS) of the Ministry of Energy, Commerce, Industry and Tourism. CCPS is responsible for the registration of new authorities and users in the system, the collaboration with contract points established within other market surveillance authorities, the continuous liaison with the Commission as well the notification of products in the system.

### 1.6. General description of market surveillance activities and relevant procedures

MSAs have the responsibility to ensure that only safe products falling under New Approach Directives are placed on the market. Market surveillance is carried out through the following operations:

- Seasonal, sectoral, proactive and/or reactive inspections.
- Sampling and testing of products.
- Measures on non-conform and/or dangerous products found in the market
- Reaction to complaints and/or queries.

- RAPEX, Business Application, ICSMS and CPSC notifications.
- Communication with consumers and economic operators.
- Public announcements.
- Campaigns.
- Penalties to economic operators.

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

Cyprus is actively involved in joint market surveillance actions coordinated by PROSAFE, since 2009. PROSAFE (Product Safety Forum of Europe) is a non-profit professional organisation for market surveillance authorities and officers from throughout the EEA. Its primary objective is to improve the safety of users of products and services in Europe. Joint Market Surveillance Actions coordinated by PROSAFE are primarily funded by the European Commission. Throughout these projects, we have the opportunity to:

- Harmonize our market surveillance procedures with other Member States.
- Work together with market surveillance officers from other Member States and exchange experience.
- Be more effective in our market surveillance activities.
- Implement the best practices for the effective control of the market.
- Withdrawn / recall dangerous products from the market.

Moreover, representatives of market surveillance authorities participate in the meetings of Administrative Co-operation Groups (ADCO) concerned with the directives and regulations falling within their sphere of competence.

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

The National Market Surveillance actions are evaluated by the end of each year, on sector-specific basis. The scope of the evaluation is to check whether the objectives set at the beginning of the year have been reached and to trace the problems and difficulties found during the year. The evaluation can be quantitative or qualitative, depending on the MSA. The evaluation of the National Market Surveillance actions is not made public.

Moreover, the review and assessment of the functioning of market surveillance activities pursuant to Article 18(6) of Regulation (EC) No 765/2008 (for the period 2010-2013) was prepared last year with the contribution of all the MSAs. This report was made available to the public.

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

The responsibility of coordinating the Market Surveillance Authorities has been assigned to the Competition and Consumer Protection Service of the Ministry of Energy, Commerce, Industry and Tourism since the beginning of this year. Moreover the

enforcement of the Directive on the Noise emissions for outdoor equipment has been move from the Department of Environment to the Department of Labour Inspection.

Market Surveillance Authorities are met twice a year in order to discuss any problems arise as well as difficulties in carrying out their market surveillance activities. The Customs and Excise Department is also invited in the meetings. Within the year, MSA's will met in order to discuss possible ways of united approach to the letters and notifications given to the economic operators.

Moreover, the national horizontal law on the enforcement of the new approach directives, is been continuously discussed and amendments are made when necessary.

At European level, MSA's will be encouraged to actively participate in PROSAFE joint actions. Within this year, two MSA's will participate in PROSAFE's Joint Action 2014 for toys and CFL/LED lamps.

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

### **2.1. Sector - Medical Devices**

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

Cyprus Medical Devices Competent Authority (CYMDA),

Medical and Public Health Services,

Ministry of Health, Cyprus

The Cyprus Medical Devices Competent Authority (CyMDA) is the responsible Authority for the Market Surveillance for:

- Active Implantable Medical Devices (Directive 90/385/EEC)
- Medical Devices (Directive 93/42/EEC), and
- In-vitro Diagnostic Medical Devices (Directive 98/79/EC)

Contact details:

Prodromou 1 & Chilonos 17 Corner, 1449 Nicosia, CYPRUS

Tel: +357 22605572

Fax: +357 22468427

Functional email: [cymda@mphs.moh.gov.cy](mailto:cymda@mphs.moh.gov.cy)

Overall resources at the disposal of national market surveillance:

Medical Devices Market Surveillance Team consists of 4 officers. All market surveillance activities are financed from the annual government budget.

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

- The market surveillance activities are programmed to be in weekly based inspections and are updated annually. Additionally, extraordinary inspections may be done, after complaints from consumers (patients, local device distributors and health professionals) and from notifications from other Member States for devices that are known to be on the Cypriot market. Product checks are performed by means of documentary and physical.
- Complaints must be either filled in writing on paper and be sent by mail, fax or e-mail to the Cyprus Medical Devices Competent Authority or may be oral. All complaints are recorded and evaluated.
- The risk is assessed for the cases mentioned in the 1<sup>st</sup> paragraph and the appropriate action is taken according to the level of risk to the patient and the health professionals using the device under investigation. Enforcement actions and penalties are used when required as outlined in national legislation transposing the relevant Directives. Based on that, the Cyprus Medical Devices

Authority has set the main criteria for setting the minimum and maximum fines per case.

- Also, MEDDEV 2.12-1 rev.8 Guidelines on a Medical Devices Vigilance System are followed for the monitoring of incidents and near-incident with medical devices. Any information concerning safety measures are provided to the public and health professionals through the provision of newsletters and safety and advisory notices.
- The CyMDA collaborates closely with the Department of Pharmaceutical Services of the Ministry of Health and the Cyprus Customs Authority. The collaboration with the Pharmaceutical Services concerns borderline devices as well as devices containing pharmaceuticals.
- The collaboration with the Customs Authority is a two-way collaboration. The one way is for the CyMDA to request from the Customs to confiscate devices that are entering the Cypriot market and are known not to meet the essential requirements. The second way is for the Customs Authority to request assistance to identify devices that are entering the Cyprus market and are not CE marked and may be Medical Devices. If such devices are not CE marked medical devices these are confiscated by the Customs Authority.
- In addition, a cooperation agreement was signed between the Cyprus medical Devices Competent Authority and the State General Laboratory for the years 2014-2015. During 2014, were performed the following laboratory checks:
  - Latex Powder-Free Gloves (two lot number from one manufacturer)
  - Natural Rubber Latex Condom (one lot number from one manufacturer)

#### Cooperation with the Customs Authority

The collaboration with the Customs Authority is a two-way collaboration. The one way is for the CyMDA to request from the Customs to confiscate devices that are entering the Cypriot market and are known not to meet the essential requirements.

The second way is for the Customs Authority to request assistance to identify devices that are entering the Cyprus market that exhibit characteristic which existence serious risk to public health and safety, as well as are not CE marked and may be Medical Devices. If such devices are not CE marked medical devices these are confiscated by the Customs Authority.

#### Exchange of information

Exchange of information on market surveillance concerning medical devices is achieved through involvement with the Compliance and Enforcement (COEN) Working Group.

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

During previous planning period, market surveillance activities, covered:

- 25 inspections into distributors
- 8 custom inspections

- 63 inspections to pharmacies

During inspections, 26 products found not to comply with EU Directives, of which 6 were withdrawn from the market. For the rest products, corrective actions were implemented.

Furthermore, CYMDA received 117 reports from COEN working group according to market surveillance activities, of which 24 cases affected the Cypriot market and appropriate actions were taken.

## 2.2. Sector – Toys

### 2.2.1. Responsible authority and contact details

Authority: Competition and Consumer Protection Service of the Ministry of Energy, Commerce, Industry and Tourism of Cyprus

Contact Details:

- Address: 6, Andreas Araouzos str., 1076 Nicosia Cyprus
- Contact person: Savvas Savva
- Tel: +35722867309
- Fax: +35799867357
- Email: ssavva@mcit.gov.cy

Resources:

- Budget: Around €12.000 for sampling and testing.
- Staff: 6 officers and 50 inspectors (also responsible for the application of other legislations).
- Technical means: no technical means but the safety standard on the safety of toys (EN71 series) is on the disposal of the personnel. Close cooperation with the General State Laboratory of Cyprus for testing toys.

### 2.2.2. Market surveillance procedures and strategy

- Overall strategy and procedures
- 1) Weekly checks on the market: the inspectors carry visual inspections checks on toys at the points of sales on weekly basis and examination of documentation (declaration of conformity, technical documentation etc). They also carry checks in the market according to the weekly announcement of RAPEX.
  - 2) Sampling and testing of toys: toys are sampled in the market in different periods through the year. The samples are sent to the General State Laboratory in order to be checked according EN71-1, EN71-2 and EN71-3. It is foreseen that around 70-90 samples of toys will be tested within 2015 in the General State Laboratory.
  - 3) Measures on non-conform and/or dangerous products found in the market.
  - 4) Penalties on economic operators: the authority is responsible for investigating violations of the directive. Penalties are imposed by the court in the cases of criminal proceedings and by the authority in cases of administrative proceedings.
  - 5) Communication with economic operators: Newsletters on the application of Toys Directive are sent to the economic operators on regular basis. If necessary, seminars may organize through the year for educational purposes.



- 6) Consumer complaints are mainly conveyed to the competent national authority through the 1429 Call Centre. The complaints are carefully considered within the framework of the respective service's capacity so as to establish the validity thereof, while at the same time checking if the products in question meet all the administrative requirements. The complaint is forwarded to qualified personnel that are familiar with the procedures and processes for the handling of the complaints. Then, the information needed to start the investigation is collected (contacts with consumer, retailers, distributors or importer of the product) sampling of products for investigation is taken. If needed, laboratory tests are performed by the General State Laboratory.
- 7) Public Announcements: The authority is issuing a weekly announcement on safety of products. The announcements are forwarded to the media, consumer unions and other bodies. Moreover, they are published on the Ministry's website.
- 8) Campaigns: Market surveillance campaigns on specific categories of toys may run through the year.
- 9) Communication with consumers: an information leaflet on safety of toys has been issued. This leaflet is distributed mainly at elementary schools. Moreover, seminars are organised in schools in different periods of the year.
  - Cooperation with other authorities

The Competition and Consumer Protection Service cooperates with the Customs and Excise Department by sending instructions and recommendations and providing answers to questions raised during the customs clearance of products on the comprehensiveness of the technical files and necessary markings. The Competition and Consumer Protection Service also participates in the ADCO Meetings, Expert Group Meetings and Committee on Safety of Toys Meeting organised by the European Commission. Moreover, the authority participates in different Joint Market Surveillance Actions, organized by Prosafe.

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

#### Summary of the results of the activities carried out during the previous year (2014)

- Around 1600 inspections on retail stores.
- Fifteen (15) toys were notified in RAPEX as dangerous.
- Thirty three (33) toys were sampled and tested according EN71-1 (physical & mechanical properties)
- Thirty three (33) toys were sampled and tested according EN71-3 (chemical properties)
- National campaign on Loom Bands.
- Checks in open markets.
- Three (3) newsletters were sent to economic operators.
- Eight (8) administrative orders for penalties were issued.
- Fifty three (53) public announcements were issued.

### **2.3. Sector – Personal Protective Equipment, Simple Pressure Vessels, Pressure Equipment, Machinery, Lifts, Noise Emissions for Outdoor Equipment, Equipment and Protective Systems Intended for Use in Explosive Atmospheres**

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

The Department of Labour Inspection is responsible for the enforcement of 7 Directives, namely:

- Machinery (2006/42/EC)
- Lifts (95/16/EC and 2014/33/EU)
- Pressure Equipment (97/23/EC and 2014/68/EU)
- Simple Pressure Vessels (2009/105/EC and 2014/29/EU)
- Personal Protective Equipment (89/686/EEC)
- Equipment and Protective Systems Intended for Use in Explosive Atmospheres (94/9/EC and 2014/34/EU)
- Noise Emission in the Environment by Equipment for Use Outdoors (2000/14/EC)

Market surveillance activities are carried out by 6 Inspectors that have been duly authorised for that purpose by the Minister of Labour, Welfare and Social Insurance.

The said Inspectors are based at the four District Labour Inspection Offices and are supported by two Labour Inspection Officers located at the Head Office of the Department.

The relevant persons of the Department of Labour Inspection to contact are:

Senior Labour Inspection Officer Mr. Marios Kourtellis, (+35722405610, [mkourtellis@dli.mlsi.gov.cy](mailto:mkourtellis@dli.mlsi.gov.cy))

Labour Inspection Officer Mr. Stephanos Achillides (+35722405603, [sachillides@dli.mlsi.gov.cy](mailto:sachillides@dli.mlsi.gov.cy))

Labour Inspection Officer Mr. Athanasios Vazouras (+35722405604, [avazouras@dli.mlsi.gov.cy](mailto:avazouras@dli.mlsi.gov.cy))

Information is also available at the website of the Department Labour Inspection [www.mlsi.gov.cy/dli](http://www.mlsi.gov.cy/dli) under the “Equipment”.

Market surveillance activities for the above categories of products are carried out proactively in accordance with the national programme for market surveillance for the current year and reactively following an accident report or an information or complaint from a member of the public. These activities are usually carried out at the points where such products are placed on the market, the entry points in the Republic of Cyprus and for lifts at the places of installation.

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

The Department of Labour Inspection closely cooperates with other market surveillance authorities at national level especially when non compliant products, which do not fall in the scope of the aforementioned Directives, are identified by the Department of Labour Inspection during market surveillance actions. In such cases the Department alerts/notifies the relevant national market authority to take the necessary action as appropriate.

The Department of Labour Inspection closely cooperates with the Customs & Excise Department so that non compliant products are prevented from entering the Cyprus market. When such a product arrives at a point of entry, the relevant Customs Office informs the corresponding District Labour Inspection Office in writing and/or by phone. An Inspector inspects the non compliant product and takes the necessary action and informs the Customs Office in writing whether to release the product or prohibit it from entering the national market.

The Department of Labour Inspection monitors RAPEX notifications and alerts the public for non compliant products which may be available on the market. Also, in case of serious non-conformities for products that are available on the national market that could harm the safety and health of users and have been identified by the Department of Labour Inspection, an alert is uploaded on RAPEX, an Announcement is sent to the press and is also uploaded on the website of the Department. The ICSMS is not currently used by the Department of Labour Inspection.

Market surveillance is carried out on both proactive and reactive basis. Proactively, the Inspectors visit premises where products fall within the scope of the above Directives are placed on the Cyprus market. The selection of products is made after a risk analysis, or on the basis of the popularity of use, e.g. fall arrestors and lanyards, portable gasoline power generators, or following a European campaign organized by the member states through the relevant AdCo Working Groups.

Reactive market surveillance activities are made usually after a RAPEX notification, a consumer complaint, a tip off from the Customs Office, or after an accident involving a product falling into the scope of any of the above Directives.

The Department of Labour Inspection cooperates with market surveillance authorities of other European member states both in terms of launching a market surveillance campaign, following a complaint for a product which is manufactured in another member state, or exchanging technical information and opinions regarding specific products.

The mechanism of cooperation is established through the AdCo meetings. A market surveillance group is formed for a particular product and the outcome from the campaign is also presented at an AdCo meeting.

A quantitative evaluation is made at the end of every year to assess whether the target set at the onset of the year was ultimately reached.

The close cooperation of the Department of Labour Inspection with the Department of Customs and Excise has paid off and the numbers of non-compliant products entering the Cyprus market is reduced. The Department of Labour Inspection will continue to carry out market surveillance in a more structured way, focusing on specific types of equipment.

The future goals of the Department focus on:

- the enhancement of product inspection and better control at the borders by means of a closer cooperation with the Customs Officers,
- the increase of the number of yearly checked for compliant products,
- the dissemination of information to other stakeholders e.g. representatives of the industry
- the raising of awareness of consumers regarding product compliance and safety,
- the continuous training of the Inspectors to keep up to date with current trends and practices.

## **2.4. Sector – Construction Products**

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

Construction Products Sector

Ministry of Interior of Cyprus

Telephone: 00357 22806400

Fax: 00357 22806401

Email: cp@moi.gov.cy

Resources at the disposal of the authority:

Staff: 8 full-time employees

Budget: 100000 Euros

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

#### Market Surveillance Approach

The Ministry of Interior has prepared the system of market surveillance for construction products during 2007, in cooperation with foreign experts under an EU Twinning Program, in order to set up the correct mechanisms for monitoring and enforcement of the Regulations. This program was designed to create a system of market surveillance of construction products, and includes among other things, assessment of the legal framework, assessment of the capacity of cypriot laboratories, development of the market surveillance system and protocols, staff training, preparation of a risk assessment for construction products that should be monitored, preparation of a computer program for recording actions etc.

Market surveillance is being done by an “active” and “passive” system. For the "active" system, campaigns (i.e. controlling a particular product placed in the market) are decided to be performed at a certain time. The campaign may include document checks and/or laboratory testing of products. For the “passive” system, the Market Surveillance Authority (MSA) takes action after receiving a complaint or other information.

Generally, the usual practice of the MSA is first to perform document checks, i.e. CE Marking and Declaration of Performance. After the document checks, depending on the nature of the campaign or the information/complaint received, the MSA may perform also physical tests to specimens of the products.

Moreover, MSA gives special attention to the dissemination of information in order to better inform those involved and affected. The MSA organizes seminars and training programs, releases information material, and also created a special area on the website of the Ministry of Interior which provides information and explanations regarding the Regulation, legislation, education programs etc.

## Cooperation

The Ministry of Interior has the overall responsibility for implementing the construction products legislation. In addition, the Ministry is the contact point for Cyprus for the construction products. It is also the declared body in all the EU Institutions for the field of construction products, representing Cyprus and participating in the EU and responsible for directing all information to and from the EU.

MSA cooperates with other Services and Authorities for the coordination of actions and measures taken in the field. It has regular cooperation with the Customs Dept., the Geological Survey Dept., the Cyprus Organization for Standardization, the District Offices etc.

## Overall Strategy of the Sector

The decision making for the actions to be taken by the MSA is based on the risk assessment prepared for construction products in Cyprus during the Twinning Program. The risk analysis model takes into consideration the consequences of an event and the probability of occurrence. For this, end input factors and weighting values were used for the estimation of the risk assessment.

Input factors were based on consequences (personal injury, cost of repair or replacement, environmental damage) or probability (volume used, conditions of manufacture, non-importance of design, non-importance of installation).

For the analysis, information (data) was received from the Statistical Governmental Office, in order to decide the weighting factors, taken into account the importance of structural elements, ease of replacement, CE marked or not, AVCP system, importance of design, importance of installation etc.

It must be noted that the impact of design and installation, as well as of the building control performed by building authorities was not taken into account, since market surveillance targets the product before it is being used.

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

The Ministry of Interior, in the context of market surveillance of construction products, proceeded during 2014, at random checks (documents and/or laboratory tests) for products: aggregates, cement, building lime, clay masonry units, concrete masonry units, concrete paving blocks, concrete paving flags, concrete kerb units, terrazzo tile, natural stones, rendering and plastering mortar, roofing tiles, room heaters fired by solid fuel, ceramic tiles, windows, adhesives for tiles, structural steels, asphalt concrete and insulating panels.

More specific, the Ministry of Interior during 2014, conducted the following actions: 474 laboratory tests on samples of the products, 121 Notifications of Compliance to economic operators and 36 restrictive measures for placing products on the market. Regarding the administrative fines, the Ministry imposed seven administrative fines to operators for non-compliance with the current legislation.

## **2.5. Sector – Aerosol dispensers**

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

Ministry of Communications and Works

Department of Electrical and Mechanical Services

P.O. Box 29669

CY-1722 Nicosia

Budget: 5.000 euros

Staff: Two (2) full-time employees spend 10% of their time

Technical testing of products: N/a

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

#### **Market Surveillance Approach**

Market surveillance is mainly proactive and is based on a yearly plan, which defines the number of monthly inspections of aerosol dispensers.

Reactive market surveillance is based on consumer complaints and notifications from the Customs and Excise Department.

Products are checked for compliance according to the marking on the dispensers.

In case of non-compliance, administrative measures are taken, according to the severity of the violation, ranging from warnings to prosecution of economic operators to court.

#### **Cooperation with other Services:**

The Department is in close cooperation with the Commission for the Protection of Competition and the Customs and Excise Department.

#### **Future Objectives:**

- increase the number of annual inspections

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

	2014
Number of investigations (total number)	28
investigations prompted by complaints	1
investigations prompted by accidents or incidents	1
Investigation prompted by notification from the Customs and Excise Department	1
self-initiated inspections	25
Number of investigations that result in:	
finding non compliance	6
corrective action taken by economic operators	5
restrictive measures taken by market surveillance authorities.	1
imposing of sanctions/penalties	-



## **2.6. Sector – Transportable pressure equipment**

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

Ministry of Communications and Works

Department of Electrical and Mechanical Services

P.O. Box 29669

CY-1722 Nicosia

Budget: 5.000 euros

Staff: Two (2) full-time employees spend 15% of their time

Technical testing of products: N/a

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

#### **Market Surveillance Approach**

Market surveillance is mainly proactive and is based on a yearly plan, which defines the number of monthly inspections of transportable pressure equipment.

Reactive market surveillance is based mainly on consumer complaints and accident investigation.

Products are checked for compliance according to the marking on the equipment.

In case of non-compliance, administrative measures are taken, according to the severity of the violation, ranging from warnings to prosecution of economic operators to court.

#### **Cooperation with other Services:**

The Department is in close cooperation with the Commission for the Protection of Competition and the Customs and Excise Department.

#### **Future Objectives:**

- increase the number of annual inspections

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

	2014
Number of investigations (total number)	14
investigations prompted by complaints	4
investigations prompted by accidents or incidents	--
self-initiated inspections	10
Number of investigations that result in:	
finding non compliance	--
corrective action taken by economic operators	--
restrictive measures taken by market surveillance authorities.	--
imposing of sanctions/penalties	-

## **2.7. Sector – Cableways**

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

Ministry of Communications and Works

Department of Electrical and Mechanical Services

P.O. Box 29669

CY-1722 Nicosia

Budget: -----

Staff: -----

Technical testing of products: N/a

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

#### **Market Surveillance Approach**

In the Cyprus market there are no manufacturers or importers of safety components or subsystems, therefore no market surveillance actions are performed.

## **2.8. Sector – Pyrotechnics**

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

The authority responsible for carrying out market surveillance in the Pyrotechnics sector is the Inspectorate of Explosive Substances in the Mines Service of the Ministry of Agriculture, Natural Resources and Environment.

Address: 1422 Nicosia Cyprus

Tel. number: 0035722409283

Fax number: 0035722316872

Email: minesinfo@mines.moa.gov.cy

Web: [www.moa.gov.cy/mines](http://www.moa.gov.cy/mines)

Budget: €22.000

Staff: 0.4

Technical means: computer and internet, car.

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

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.

There is cooperation with the customs and the police.

As mentioned above in the territory of the Republic of Cyprus there is no manufacture of pyrotechnics and the main market surveillance activities focus during the import of the pyrotechnics. Consequently grade importance is given to the control of what is entered in the Republic from other countries. Before the importation of the pyrotechnics the importer is asked to submit the data of the product that he is intended to import (technical characteristics, United Nation No, CE marking and Notified Body number, etc) as well as the Safety Data Sheet. If the aforesaid data are according to the harmonized legislation when the product comes from an EU member state, an approval for a transfer is issued. When the product comes from a third country, an importation license is issued. In both cases the products destination is a store, licensed under the Explosive Substances legislation.

Upon the products entry in the country the Customs check the transportation documents.

Specifically they check whether the types and the quantities on the transportation documents match with the approvals, as well as the existence of the proper labelling. In the case of products coming from a third country the Customs may withhold them for a 72 hour period. In the event that the Customs observe anything incompatible with the aforesaid, notify the incident to the Inspector, in order to take the appropriate measures.

In the case where the Inspector confirms that the products do not have the suitable labelling then he does not allow their availability to the market and he asks from the importer/ transporter to take care for their conformity within a specific time. In the case where such conformity is not possible he proceeds with their destruction after having the consent of their owner or after a relative order of the Court. In any case the provisions of the article 29 of the Regulation (EC) No 765/2008 are applied, especially if the owner of the pyrotechnics wants their removal from the Republic.

The holder of a pyrotechnics store license has to keep a book showing the receipts and the issues for each type of pyrotechnics. The holder of the license notifies the Inspectorate of each new receipt of pyrotechnics. The Inspector inspects the types, the quantities and the labelling of the new products.

The Inspectorate also follows up through internet, the information given by RAPEX and the certificates issued by the notified bodies.

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

Number of inspections during 2014: 40

Finding of non-compliance during 2014: 0

## **2.9. Sector – Explosives for civil uses**

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

The authority responsible for carrying out market surveillance in the Pyrotechnics sector is the Inspectorate of Explosive Substances in the Mines Service of the Ministry of Agriculture, Natural Resources and Environment.

Address: 1422 Nicosia Cyprus

Tel. number: 0035722409283

Fax number: 0035722316872

Email: [minesinfo@mines.moa.gov.cy](mailto:minesinfo@mines.moa.gov.cy)

Web: [www.moa.gov.cy/mines](http://www.moa.gov.cy/mines)

Budget: €33.000

Staff: 0.6

Technical means: computer and internet, car.

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

In the territory of the Republic of Cyprus there is no manufacture of explosives, except of the manufacture of cartridges for hunting and trapshooting. For this reason the main market surveillance activities focus during the import of the products in Cyprus, during their storage and use. There are only 4 importers of blasting explosives and 3 of gun powder which they make use and distribution.

There is cooperation with the customs and the police.

As mentioned above in the territory of the Republic of Cyprus there is no manufacture of explosives, except of the manufacture of cartridges for hunting and trapshooting and the main market surveillance activities focus during the import of the products. Consequently grade importance is given to the control of what is entered in the Republic from other countries. Before the importation of the products the importer is asked to submit the data of the product that he is intended to import (technical characteristics, United Nation No, CE marking and Notified Body number, marking according to CIP, etc) as well as the Safety Data Sheet. If the aforesaid data are according to the harmonized legislation when the product comes from an EU member state, an approval or consent of an intra-community transfer is issued. When the product comes from a third country, an importation license is issued. In both cases the products destination is a store, licensed under the Explosive Substances legislation.

Upon the products entry in the country the Customs check the transportation documents. Specifically they check whether the types and the quantities on the transportation documents match with the approvals, as well as the existence of the proper labelling. In the case of products coming from a third country the Customs may withhold them for a 72 hour period. In the event that the Customs observe

anything incompatible with the aforesaid, notify the incident to the Inspector, in order to take the appropriate measures. In the case where the Inspector confirms that the products do not have the suitable labelling then he does not allow their availability to the market and he asks from the importer/ transporter to take care for their conformity within a specific time. In the case where such conformity is not possible he proceeds with their destruction after having the consent of their owner or after a relative order of the Court. In any case the provisions of the article 29 of the Regulation (EC) No 765/2008 are applied, especially if the owner of the pyrotechnics wants their removal from the Republic.

At the end of each month he informs the Inspectorate about the receipts and the stocks of the explosives. The holder of the license also notifies the Inspector of each new receipt of explosives. The Inspector inspects the types, the quantities and the labeling of the new products.

Checks are also carried out by the Inspectorate at the places of use of the explosives. Information about any problems concerning the safe use or the expected performance of the explosives is also collected from the operators.

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

Number of inspections during 2014: 45

Finding of non-compliance during 2014: 0

## **2.10. Sector – Appliances burning gaseous fuels**

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

Ministry of Communications and Works

Department of Electrical and Mechanical Services

P.O. Box 29669

CY-1722 Nicosia

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

#### **Market Surveillance Approach**

Notifications from Customs on products which are either not CE marked.

Reactive market surveillance is based on consumer complaints and RAPEX/CIRCA notifications.

Products are checked for compliance with the administrative requirements of the Directives. Administrative compliance assessments include checks of markings, EC declarations of conformity and technical reports.

In cases of non-compliance administrative measures are taken, according to the severity of the non-compliance, ranging from simple warnings to imposition of fines, withdrawal of products from the market and prosecution of economic operators to court.

Consumers are informed of non-compliant products via press releases and the Department's website. Notifications are issued for products presenting a risk under Article 11 of Directive 2001/95/EC. The authorities of other Member States are informed through RAPEX and CIRCA.

#### **Cooperation with other Services:**

At national level the Department is in close cooperation with mainly the Competition and Consumer Protection Service and the Customs and Excise Department, and other market surveillance authorities as necessary.

At European level the Department is in close cooperation with Member States market surveillance authorities. It actively participates in market surveillance joint actions and in discussions aiming at the exchange of information and expertise.

#### **ICSMS information system**

The Department uses ICSMS since 2014.

#### **Looking Into the Future:**

The future goals of the Department include:

- the enhancement of product inspection and control at the external borders through better cooperation Customs



- the increase of the number of yearly checked products
- increase the awareness of consumers regarding product compliance and safety

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

	2014
Number of investigations (total number)	3
investigations prompted by complaints	3
investigations prompted by accidents or incidents	-
self-initiated inspections	-
investigations prompted by information from other Member State authorities (e.g. via RAPEX notifications)	-
Number of test performed in laboratories	-
Number of investigations resulting in:	
finding of compliance	-
corrective action taken by economic operators upon request of market surveillance authorities	-
restrictive measures taken by market surveillance authorities.	3
Amount of sanctions/penalties imposed (actual figures or best estimates)	1300 euros

## **2.11. Sector – Measuring Instruments, Non-automatic Weighing Instruments, Pre-packaged Products**

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

The Weights and Measures Service (WMS) of the Ministry of Energy, Commerce, Industry and Tourism, is the National Metrology Service of Cyprus and is the Competent Authority for the enforcement of the Weights and Measures Legislation and the Directives 2004/22/EC (Measuring Instruments Directive), 2009/23/EC (Non-automatic weighing instruments), 2007/45/EC (Rules on nominal quantities for pre-packed products) and 76/211/EEC (relating to the making-up by weight or volume of certain pre-packaged products). Its principal aim is to ensure that accuracy of measurements, both at trade level as well as at higher levels, is maintained.

The WMS represents Cyprus at Committees and Working Groups of the European Commission, the International Organization of Legal Metrology (OIML), the European Legal Metrology Cooperation (WELMEC) and the European Collaboration in Measurement Standards (EURAMET), as well as at all other International Organizations and events concerned with Metrology and pre-packaged products.

The contact details of WMS are provided below:

Address: 6, Ayiou Artemiou Street, 2200 Geri, Nicosia, Cyprus

Tel.: +357-22369844

Fax: +357-22369859

Website: link "Weights and Measures" under "Technology Service" at [www.mcit.gov.cy](http://www.mcit.gov.cy)

Resources:

Staff:

- Controller of Weights and Measures / Head of the Department
- Two Industrial Extension Officers
- Senior Commerce and Industry Inspector
- Two Commerce and Industry Inspectors
- Office Assistant
- Two Drivers / Labourers

Technical Means:

The personnel of the Weights and Measures Service is housed in the New Metrology Laboratory. The construction of the new Laboratory was completed in 2013. It utilises technologically advanced and high accuracy equipment and is expected to respond to the needs related to Industrial and Scientific Metrology.

### 2.11.2. Market surveillance procedures and strategy

The market surveillance approach is based both on the provisions of the National Legislation as well as on the relevant EU Legislation. Most of the checks are carried out on the basis of national programs but the WMS also responds to consumer complaints.

According to the Weights and Measures Law and Regulations, inspections and controls must be performed periodically for the Non-automatic Weighing Instruments and the Measuring Instruments. Inspections take place on-site and involve checks in order to ensure compliance of the Instruments to the requirements of the Legislation. Checks concerning pre-packaged products bearing "e" mark are being performed periodically and for non "e" mark products checks take place whenever complaint arises.

Consumer complaints related to the accuracy and the operation of Instruments and the quantity contained in pre-packaged products in the market are addressed directly to WMS or through the 1429 Call Centre of the Ministry of Energy, Commerce, Industry and Tourism. In the case of instruments, WMS Inspectors visit the premises at which the Instrument is installed and subject it to tests and controls in order to ascertain its compliance to the requirements of the Legislation. In the case of pre-packaged products, checks are carried out by the Inspectors in the market or in the packer's / importer's premises. Pro-actively, industry and importers are advised on the requirements of specific Legislation.

WMS cooperates with the competent Customs Authorities providing guidance and advice during the customs clearance concerning the placing on the market and putting into use of various categories of Measuring Instruments.

Moreover, WMS as the competent authority for the implementation of the Directive 2004/22/EC (Measuring Instruments Directive) cooperates with other authorities, that perform controls of certain categories of Measuring Instruments which are included in this Directive, such as the Electricity Authority of Cyprus (controlling Active Electrical Energy Meters) and the Road Transport Department (controlling Taximeters).

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

During 2014, Inspectors of the Weights and Measures Service verified a number of instruments of various types, while a number of complaints concerning weights and measures and pre-packaged products were investigated. Specifically, the following verifications / inspections were carried out:

Type of verification / inspection	Number of verifications / inspections carried out
Verification of Flowmeters at petrol stations	4740 (number of flowmeters that were verified)
Verification of high flow rate Flowmeters installed on fuel tankers (heating diesel)	16
Verification of Weighbridges	24
Inspections concerning the Nominal Quantity of Prepackaged Goods	40

Most of the inspections carried out were successful with results within the maximum permissible errors according to the relevant Directives. In some cases where the results of inspections exceeded the maximum permissible errors, the measures required under the National Legislation were taken for the correction of the non-compliance cases.

## **2.12. Sector – Electrical equipment under EMC**

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

Ministry of Communications and Works

Department of Electrical and Mechanical Services

P.O. Box 29669

CY-1722 Nicosia

Budget: 30.000 euros

Staff: Three (3) full-time employees spend 20% of their time

Technical testing of products: Collaboration with European accredited laboratories

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

#### **Market Surveillance Approach**

Market surveillance is mainly proactive and comes under three categories:

- The authority's yearly plan that forms the core of its market surveillance activity, which defines the specific product categories and the number of different products to be sampled on a pre-planned basis,
- European market surveillance programmes (Joint Actions) organised at the initiative of the relevant ADCO committees or Stichting Prosafe, and
- Notifications from Customs and the Electricity Authority of Cyprus on products which are either not CE marked.

Reactive market surveillance is based on consumer complaints and CIRCA notifications.

Products are checked for compliance with either only the administrative or both the administrative and technical requirements of the Directives. Administrative compliance assessments include checks of markings, EC declarations of conformity and technical reports, whereas technical compliance is checked by partial testing against the requirements of harmonized standards appearing on the EC declarations of conformity.

In cases of non-compliance administrative measures are taken, according to the severity of the non-compliance, ranging from simple warnings to imposition of fines, withdrawal of products from the market and prosecution of economic operators to court.

Consumers are informed of non-compliant products via press releases and the Department's website. Notifications are issued for products presenting a risk under Article 11 of Directive 2001/95/EC. The authorities of other Member States are informed through CIRCA.

### **Cooperation with other Services:**

At national level the Department is in close cooperation with mainly the Competition and Consumer Protection Service and the Customs and Excise Department, and other market surveillance authorities as necessary.

At European level the Department participates in ADCO and Commission meetings, and is in close cooperation with Member States market surveillance authorities. It actively participates in market surveillance joint actions and in discussions aiming at the exchange of information and expertise.

### **ICSMS information system**

The Department uses ICSMS since 2014.

### **Looking Into the Future:**

The future goals of the Department include:

- the enhancement of product inspection and control at the external borders through better cooperation Customs
- the increase of the number of yearly checked products
- the increase of the number of laboratory tests on checked products
- increase the awareness of consumers regarding product compliance and safety
- intensification of cooperation with importers and manufacturers on a product category basis

### **2015 Control Program**

The 2015 market surveillance plan includes LED Floodlights.

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

	2014
Number of investigations (total number)	185
investigations prompted by complaints	-
investigations prompted by accidents or incidents	-
self-initiated inspections	75
investigations prompted by information from other Member State authorities ( e.g. via RAPEX notifications)	-
Number of test performed in laboratories	5
Number of investigations resulting in:	
finding of compliance	6
corrective action taken by economic operators upon request of market surveillance authorities	5
restrictive measures taken by market surveillance authorities.	174
Amount of sanctions/penalties imposed (actual figures or best estimates)	8500 euros (EMC/LVD)

## **2.13. Sector – Radio and telecom equipment under RTTE**

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

The Department of Electronic Communications (DEC) of the Ministry of Communications and Works is the competent authority for implementing the R&TTE Directive (1999/5/EC) for the radioequipment. The R&TTE Directive is transposed into national Law by Part IV of the Radiocommunication Laws of 2002 until 2013 and the Radiocommunication (Radioequipment) Regulations of 2003 until 2011.

OCECPR is the competent Authority for implementing the R&TTE Directive for the Telecommunications Terminal Equipment (TTE). The R&TTE Directive is transposed into OCECPR Law by Part 12 of the L. 112(I) 2004 and the Telecommunication Terminal Equipment Regulations of 2003.

#### ***Department of Electronic Communications***

Responsible authority for radioequipment.

POBox 24647, 1302 Nicosia, Cyprus

Tel: + 357 22814898

Fax: + 357 22321925

[www.mcw.gov.cy/dec](http://www.mcw.gov.cy/dec)

#### ***Office of the Commissioner of Electronic Communications and Postal Regulations***

Helioupoleos 12, 1101 Nicosia

Tel: +357 22693000

Fax: +357 22693070

[www.ocecpr.org.cy](http://www.ocecpr.org.cy)

DEC is the responsible governmental department for all frequency management issues in Cyprus and for implementing market surveillance campaigns for radioequipment. It is situated in the capital of Cyprus, Nicosia and has no local offices in other cities of Cyprus (Limassol, Larnaca, Paphos, Famagusta).

No budget for market surveillance activities is approved and there is no in house laboratory. There is equipment used in spectrum monitoring like a spectrum analyser that can be used to perform basic tests.

One part timer officer and from January 2015, 1 full timer inspector are responsible for the market surveillance activities of radioequipment in Cyprus.

The Office of the Commissionaire of Electronic Communications and Postal Regulation is the responsible authority for implementing the R&TTE Directive as far as the TTE is concerned. It is also situated in the capital of Cyprus and has no regional offices.



One part timer officer is responsible for the market surveillance activities of TTE in Cyprus.

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

There is no structured mechanism for coordination and cooperation between national market surveillance authorities in case where more than one authority is involved in the investigation of the conformity of a product. As far as the DEC is concerned, in case other authorities are involved in the conformity of a radioequipment (i.e. toys R&TTE & Toy Directives) then it is the responsibility of the authority which initiates the investigation to involve in the investigation process and all other relevant authorities.

#### Cooperation with Customs

There is a provision in the Radiocommunication Laws of 2002 until 2013 stating that, Custom Authorities can assist the Director of the DEC in implementing national market surveillance activities, by providing information that may be useful to assess the conformity of a radioequipment. Customs officers can contact the responsible officer for implementing the R&TTE Directive and have access to technical expertise to verify whether the equipment under investigation is in conformity with the Directive or not. Also there is collaboration with the Civil Aviation Authority and the Cyprus Ports Authority in carrying out surveillance on planes and ships. The same happens in the case of TTE and the role of OCECPR.

#### Rapid information exchange system - RAPEX

DEC and OCECPR investigate all notifications send by RAPEX. Depending on the information provided by the system, DEC and OCECPR can either check the data base for dangerous product that maintained or perform immediate inspections to specific shops that may be responsible for placing the product in the market. The results of the inspection is then transfer to the Ministry of Commerce Industry and Tourist as the responsible authority of handling RAPEX notifications.

#### ICSMS information system

ICSMS system is not yet used mainly because of the lack of human resources. Hopefully in 2015, DEC and OCECPR will be able to use it on a regular basis.

#### General description of market surveillance activities and relevant procedures

The investigations carried out by the DEC and OCECPR mainly are initiated by customer complaints, Customs or RAPEX notification. Rarely do the two MS Authorities perform some random checks in the market mainly due to the lack of human resources. All checks concern administrative not compliance and no technical not compliance.

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

DEC and OCECPR cooperate with other Member States through the activities organised by the R&TTE ADCO. Unfortunately DEC is not participating on a regular basis on R&TTE ADCO meetings but information concerning radioequipment are cc'ed to DEC via the participation of OCECPR.

### Evaluation of Market surveillance actions and reporting

DEC and OCECPR respond to all requests for the supply of information gathered during market surveillance activities.

### Horizontal activities planned for the relevant period

No horizontal activities planned.

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

During 2014, DEC in cooperation with Customs Authority has prevented the place in our market of radioequipment that was not in compliance with the provisions of the R&TTE.

During 2014, OCECPR in cooperation with Customs Authority has prevented the importation of TTE equipment in nine cases. A number of non conformed products were found during the random checks by the Customs.

Also OCECPR investigated a case via a complaint that was made by a citizen when he bought non conformed mobile phone. In that case OCEPR imposed a penalty to the importer and seller and ordered the withdrawal from the market the products which were returned to the origin (third country).

## **2.14. Sector – Electrical appliances and equipment under LVD**

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

Ministry of Communications and Works

Department of Electrical and Mechanical Services

P.O. Box 29669

CY-1722 Nicosia

Budget: 100.000 euros

Staff: Three (3) full-time employees spend 80% of their time

Technical testing of products: Collaboration with European accredited laboratories

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

#### **Market Surveillance Approach**

Market surveillance is mainly proactive and comes under three categories:

- The authority's yearly plan that forms the core of its market surveillance activity, which defines the specific product categories and the number of different products to be sampled on a pre-planned basis,
- European market surveillance programmes (Joint Actions) organised at the initiative of the relevant ADCO committees or Stichting Prosafe, and
- Notifications from Customs and the Electricity Authority of Cyprus on products which are either not CE marked or give cause to believe that they present a serious risk.

Reactive market surveillance is based on consumer complaints and RAPEX and CIRCA notifications.

Products are checked for compliance with either only the administrative or both the administrative and technical requirements of the Directives. Administrative compliance assessments include checks of markings, EC declarations of conformity and technical reports, whereas technical compliance is checked by partial testing against the requirements of harmonized standards appearing on the EC declarations of conformity.

In cases of non-compliance administrative measures are taken, according to the severity of the non-compliance, ranging from simple warnings to imposition of fines, withdrawal of products from the market and prosecution of economic operators to court.

Consumers are informed of non-compliant products via press releases and the Department's website. RAPEX notifications are issued for products presenting a risk under Articles 11 and 12 of Directive 2001/95/EC. The authorities of other Member States are informed through CIRCA.

## **Risk Assessment**

The selection of product categories to be included in the yearly market surveillance program is made after broadly considering the probability of violation of legal requirements and the overall consequences of non-compliances.

Risk assessment for RAPEX notifications is based on the guidelines on risk assessment of consumer products (Commission Decision 2010/15/EU).

### **Cooperation with other Services:**

At national level the Department is in close cooperation with mainly the Competition and Consumer Protection Service and the Customs and Excise Department, and other market surveillance authorities as necessary.

At European level the Department participates in ADCO and Commission meetings, and is in close cooperation with Member States market surveillance authorities. It actively participates in market surveillance joint actions and in discussions aiming at the exchange of information and expertise.

### **ICSMS information system**

The Department uses ICSMS since 2014.

### **Looking Into the Future:**

The future goals of the Department include:

- the enhancement of product inspection and control at the external borders through better cooperation Customs
- the increase of the number of yearly checked products
- the increase of the number of laboratory tests on checked products
- increase the awareness of consumers regarding product compliance and safety
- intensification of cooperation with importers and manufacturers on a product category basis

### **2015 Control Program:**

The 2015 market surveillance plan includes amongst others:

- LED Floodlights
- LED and CFL light sources
- Room heating appliances
- Christmas lighting chains

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

	2014
Number of investigations (total number)	206
investigations prompted by complaints	11
investigations prompted by accidents or incidents	-
self-initiated inspections	75
investigations prompted by information from other Member State authorities ( e.g. via RAPEX notifications)	-
Number of test performed in laboratories	50
Number of investigations resulting in:	
finding of compliance	6
corrective action taken by economic operators upon request of market surveillance authorities	5
restrictive measures taken by market surveillance authorities.	195
Amount of sanctions/penalties imposed (actual figures or best estimates)	8500 euros (LVD/EMC)

## **2.15. Sector – Eco-design and Energy Labelling**

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

The Energy Service of the Ministry of Energy, Commerce, Industry and Tourism is the competent authority responsible for the implementation of the Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products and also for the Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products.

Contact details of the Market Surveillance Authority (MSA):

- Energy Service of the Ministry of Energy, Commerce, Industry and Tourism
  - Andrea Araouzou 13-15
  - 1421, Nicosia, Cyprus
  - Tel: +35722409303
  - Email: [energyservice@mcit.gov.cy](mailto:energyservice@mcit.gov.cy)
  - Fax: +35722304759
  
- Information on resources

The budget available to the market surveillance authority is approximately (€) 25000 (the exact amount of the budget allocated to the MSA is not available yet).

The Staff available to the market surveillance authority in full-time equivalent units is 8 (6.7 units corresponds to the available inspectors).

The ‘Applied Energy Laboratory’ can be used to conduct full or partial testing in order to verify compliance with harmonized standards related to the Commission Regulations 813/2013 and 814/2013. The Applied Energy Laboratory is accredited (accreditation certificate L036) by the Cyprus Accreditation Body (Cyprus Organization for the Promotion of Quality, CYS - CYSAB) according to the International Standard EN ISO/IEC 17025:2005, as being able to conduct tests on solar thermal systems in accordance with the European and International standards. The scope of accreditation of the Laboratory is determined by the Accreditation Certificate LO36 and concerns tests conducted according to the standards EN12975, EN12976 and ISO9459.

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

Market surveillance takes the form of both proactive and reactive and take into consideration the following:

1. Complaints filed by competitors or the public. Complaints have priority and therefore are processed first. Consumer complaints are mainly conveyed to the MSA via email, fax or by letter.
2. Notifications from Customs on energy related products which are either not CE marked or do not have the EC Declaration of Conformity available.
3. Notifications from the authorities in another country via ICSMS (Information and Communication System for Market Surveillance) or CIRCA (Communication & Information Resource Centre Administrator)
4. If all the complaints are investigated then "random based" on-the-spot checks are conducted.

Surveillance is performed by authorized inspectors at several distribution sites. Inspections are also performed at several online selling points and primarily takes the form of visual inspections. In cases that are judged suspicious for noncompliance, laboratory testing may be carried out despite the budget limitations.

Moreover, the Energy Service gives special attention to the information of the stakeholders (importers, suppliers). The MSA organizes or participates in seminars and provides to the interested parties information aiming to ensure that the requirements relating to the implementing measures in force (Regulations, Delegated Acts) are understood.

The MSA prepares and publishes information material (flyers and information guidebook) on the ecodesign and labelling of energy-related products. This material is distributed free of charge to the parties concerned (importers, suppliers, consumers, dealers) by the (central and district) offices of the Ministry of Energy, Commerce, Industry and Tourism and also at various energy-related events. Moreover the website of the MSA is updated regularly and includes information on the legislative framework (Law, Directives, Regulations, Delegated Acts) on ecodesign and energy labelling.

An e-newsletter is also prepared and emailed frequently to the stakeholders reminding them about the upcoming regulations and requirements.

In cases of non-compliance administrative measures are taken, according to the severity of the noncompliance, ranging from simple warnings to imposition of fines, withdrawal of products from the market and prosecution of economic operators to court.

### Ecodesign

According to article 36 of the national Ecodesign law, a person who has committed an offence could, if convicted, face imprisonment for a period not exceeding 2 years or a fine which shall not exceed €8545 or both. In the event of a second or subsequent conviction, the said offences shall be punished with imprisonment for a period of no more than 4 years or a fine not exceeding € 17,090 and/or both.

Moreover according to Article 37(1) of the Ecodesign law, irrespective of criminal responsibility or criminal prosecution of any person, the MSA may impose an administrative fine which shall not exceed € 3418,

- On the manufacturer or his authorised representative, or the importer or distributor as appropriate in the case where they fail to provide it within the deadline set with the EC declaration of conformity, and/or the conformity marking and/or the documents needs and/or information relating to the conformity assessment procedure, and/or technical documentation, and/or who impede and/or prevent those procedures in any manner or who provide false and/or misleading information;
- On any person who presents himself as a notified body without the approval required by law;
- On any person who issues without any approval, a certificate or other document issued by a notified body in respect of the conformity assessment procedure;
- On any person who deliberately impedes an authorised officer of the competent authority
- On any person who places on the market any product without the required EC declaration of conformity and/or the required conformity marking;

In the case of continuing infringement, the MSA may impose a fine from € 85.45 to € 170.90 for each infringement each day depending on its seriousness.

### Energy Label

The penalties are stipulated in PART V of the Law (Indication of Energy Consumption and other essential resources by household appliances laws of 2001 to 2012). An administrative fine is imposed on the offender following the justified decision of the Authorised Service who confirms the violation once it gives all the related parties a chance to give the reasons justifying their offence stating their opinions.

The initial penalty is up to €8500. In case of second offense the penalty is up to €17 000. In each case, the size of the imposed fine is set following relevant Ministerial, Indicative Instructions. These Instructions do not restrict the discretion of the MSA, who confirms the violation, to evaluate each incident separately.

According to the Minister's Indicative Instructions valid today:

- In case non conformity products are traced at a point of sale of a dealer during the first check, an administrative fine of €50 should be imposed. Upon expiry of the deadline given to comply, a secondary check is performed and if the point of sales still does not comply, a new administrative fine should be set, to an amount up to 20% of the sale price of the product, with a minimum fine of €50 and a maximum of €500. If the violation persists a new administrative fine should be set to an amount up to 20% of the sale price of the product, with a minimum of €500 and a maximum of €17 000.
- In case non conformity products are traced at a point of sale of a supplier during a first check, an administrative fine of €2000 should be imposed. Upon expiry of the deadline given to comply, a secondary check is performed and if the supplier still does not comply a new administrative fine up to €17 000 per product category should be imposed.

### Cooperation with other Services

The Energy Service is in close cooperation with the Customs and Excise Department providing guidance and advice during the customs clearance concerning the placing on the market of energy related products. Moreover, the Energy Service is frequently sharing information to the Customs regarding new Regulations that will come into force.

At European Level the Energy Service follows the meetings of the relevant ADCO and participates in discussions aiming at the exchange of information and expertise. The Energy Service also cooperates with MSA of other member states particularly to investigate suspicious products that have been placed on the market in another member state and to exchange technical information and opinions.

### Looking Into the Future

The majority of the economic operators are law abiding. However, knowledge of legislation among economic actors varies and in some cases the legislation is difficult to interpret (a particular issue for SMEs who do not have the resource to keep track of regulatory developments). The MSA puts a lot of effort into ensuring that the information on its website is as up to day and as informative as possible. The MSA will continue to



engage with business in order to reflect business priorities for market surveillance and to draw on business experience and knowledge.

Market Surveillance for 2015, plans to cover almost all product groups entailed in the relevant enforced EU Regulations. The selection of product categories to be included in the yearly market surveillance program is made after considering the seriousness of potential contraventions and their frequency. For 2015, special attention will be given for the surveillance of the products included in the scope of the Commission's Regulations 811/2013, 812/2013, 813/2013 and 814/2013 regarding the ecodesign and the energy label of water and space heaters.

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

- Even though, at this point, the final results for the inspections that were conducted in 2014 are not yet fully processed, the targets set in the 2014 market surveillance program seems to be achieved.
  - Inspections were conducted for the following product groups, included in the previous planning program:
    - Glandless Circulators Fans (driven by motors with an electric input power 125W - 500KW), Air Conditioners and Comfort Fans, Water pumps, Vacuum cleaners.
    - No major changes compared to the results of the market surveillance of 2013 were identified (Detailed information on market surveillance activities carried out in 2013 is shown in table 1)
- At the end of 2014 the first informative e-newsletter was prepared and sent to all the stakeholders
- The MSA website was continuously up to date.

Table 1: Information on enforcement activities carried out in 2013

Number of inspections (total number)	403
Number of reactive inspections	2
Number of self-initiated inspections	393
Number of inspections prompted by the customs	8
Number of inspections resulting in finding of non-compliance :	73
Number of inspections resulting in corrective actions taken by economic operators (“voluntary measures”)	36
Number of inspections resulting in restrictive measures taken by market surveillance authorities	0
Number of inspections resulting in application of sanctions/penalties	37

## **2.16. Sector – Tyre labelling**

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

The Energy Service of the Ministry of Energy, Commerce Industry and Tourism is the competent authority responsible for the implementation of the regulation (EC) No 1222/2009 establishing a framework on the labelling of tyres with respect to fuel efficiency and other essential parameters.

Contact details of the MSA:

- Energy Service of the Ministry of Energy, Commerce, Industry and Tourism
  - Andrea Araouzou 13-15
  - 1421, Nicosia, Cyprus
  - Tel: +35722409303
  - Email: energyservice@mcit.gov.cy
  - Fax: +35722304759

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

#### Basic strategy

Market surveillance takes the form of both proactive and reactive and take into consideration the following :

1. Complaints filed by competitors or the public. Complaints have priority and therefore are processed first. Consumer complaints are mainly conveyed to the MSA via email, fax or by letter.
2. If all the complaints are checked then a "random based" market surveillance schedule is prepared in order to evaluate the implementation of the Regulation to the market.

Procedures to be followed in the event of non-compliance are described in articles 53 and 54 of the Law N. 54(I)/2013.

#### Cooperation with other authorities

The MSA cooperates with Customs and Excise Department by sharing information and conducting all necessary checks before a product is allowed to enter the market. Particularly, the Customs and Excise Department once a month informs the MSA regarding the imports of tyres (names of importers, quantities, importing countries etc).

At European Level the Energy Service follows the meetings of the relevant ADCO and participates in discussions aiming at the exchange of information and expertise.

#### Means of surveillance

Surveillance is performed by authorized inspectors and primarily takes the form of visual inspections. If necessary, laboratory tests may be carried out.

Market Surveillance for 2015, plans to cover all product groups entailed in the relevant enforced EU Regulation.

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

The MSA prepared and published information material (flyer) regarding the provisions of the regulation (EC) No 1222/2009 establishing a framework on the labelling of tyres with respect to fuel efficiency and other essential parameters. This material is distributed free of charge to the parties concerned (importers, suppliers, dealers, consumers) by the (central and district) offices of the Ministry of Energy, Commerce, Industry and Tourism and also at various energy-related events. Moreover the website of the competent authority is updated regularly and includes information on the legislative framework (Law, Regulation,) on the labelling of tyres.

## **2.17. Sector – Recreational Craft**

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

The responsible authority for carrying out market surveillance for recreational craft, marine engines (installed or to be installed on recreational craft) and PWC, is the Department of Merchant Shipping.

#### ***Contact Details***

Department of Merchant Shipping,

Kyllinis Street,

Mesa Geitonia, 4007

Postal Address: P.O.Box 56193,

3305, Lemesos

Cyprus

Telephone: +357 25848100,

Telefax: +357 25848200

E-mail: [maritimeadmin@dms.mcw.gov.cy](mailto:maritimeadmin@dms.mcw.gov.cy),

Web page: <http://www.shipping.gov.cy>

There is one marine surveyor involved, from the Navigation and Small Craft Division of the Department, assisted by an external authorised inspector. The external authorised inspector can check main items concerning compliance with the directive 94/25/EC as amended [CE marking/ builders plate on craft, CIN number, CE marking on components (fuel tank, steering)] during the course of inspection for obtaining for the first time Circulation License for High Speed Small Craft.

The marine surveyor dedicates approximately 50-60% of total working hours for market surveillance activities, however in the last two years due to a marked drop in purchases and registrations (result of the economic crisis) this can vary.

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

Approach /Working practices

The type of control is mainly proactive with document inspection / examination prior to registration (compulsory for all boats). There is also visual (basic) inspection including component inspection for random and suspect cases.

Reactive control is exercised following CIRCA and RAPEX notifications.

Contact with the economic operators and notified body involved is of primary importance for clarification purposes.

Working practices:

Market Surveillance check (proactive control) is imperative in the procedure for registration, complemented by visits and checks to the manufacturers and other economic operators. As a general rule if documents are not in accordance with the legislation (RCD Directive) the procedure includes an inspection of the craft.

Cases of reactive control, following CIRCA and RAPEX notifications are uploaded in the website of the Department and carefully checked with the importers, authorised representatives, dealers and Customs. Reactive control is also carried out in case of complaints, if any.

As mentioned above, contact with the economic operators and notified body involved is of primary importance for clarification purposes during documentation check.

At national level the Department of Merchant Shipping is in close cooperation mainly with the Competition and Consumer Protection Service and the Customs and Excise Department. Coordination with other MSA and the Competition and Consumer Protection Service is carried out on an ad-hoc basis, with representatives from all market surveillance authorities, for products under new approach directives. Similarly, meetings with the Customs and Excise Department are summoned on an ad-hoc basis. Correspondence with Customs based on following: (i) regular contact during routine procedures for clarification purposes, (ii) in case of products not conforming (iii) in case of products requiring investigation to establish conformance or non conformance.

At European level there is close cooperation with MSA of other Member States for Recreational Craft (ADCO members), on relationship built through ADCO meetings, generally the coordination and cooperation through ADCO is very important.

Note(1): Method to report complaints, procedure for handling, registering complaints and follow up will be further improved.

Note(2): Accident investigation for recreational craft is carried out by the Coastal Passenger and Small Boats Division. In case accident investigation reveals manufacturing defects / non conformities, the relevant market surveillance authority shall be contacted.

#### Rapid information exchange system - RAPEX

There is satisfactory coverage of the RAPEX system at national level concerning products under the scope of the RCD Directive ie :

- (1) There is direct link to RAPEX through our website.([www.shipping.gov.cy](http://www.shipping.gov.cy) under the section of Small Vessels)
- (2) The Competition and Consumer Protection Service forwards electronically RAPEX notifications concerning products under the RCD Directive.
- (3) We upload RAPEX notifications **concerning products under the RCD Directive** in our website.

The Department of Merchant Shipping has not generated RAPEX notifications for products under the RCD Directive.

## ICSMS information system

ICSMS system has been adequately explained in 2012, however as there was not much information on products under the scope of RCD directive, it has not been used on routine basis.

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

There were only 130 new registrations in the Small Boat Registry, approximately 98% are for recreational purposes, out of which 15 % concern craft transported from one MS to another( transport within EU).In addition there were 9 cases concerning registrations in the Cyprus Registry.

Document control was exercised for all cases (117 cases) and results categorised mainly as follows :

- 1/ Documents in accordance with the requirements of the legislation (RCD Directive)
- 2/ Documents in accordance with the requirements of the legislation (RCD Directive) with some clarification required
- 3/ Documents require clarification before being classified in accordance with the requirements of the legislation (RCD Directive).
- 4/ Documents not in accordance with the legislation (RCD Directive) followed by actual inspection of the craft.

Actual inspection of craft includes CE marking, Builder's Plate, CIN, CE marking on components (fuel tank, steering) and can be carried out in categories 1/ 2/ and 3/ and is normally carried out for category 4.

In the previous year actual inspection was carried out on 45 cases (30 cases on craft registered in 2014 and 15 cases on craft registered previously) during the course of inspection for obtaining for the first time Circulation License for High Speed Small Craft.

There were approximately 20% cases in category 1/, 30% cases in category 2/, 30% in category 3/ and 20% in category 4/.

On summarizing results of document check and inspections carried out 2014, we have one outstanding case of PWC. This case involves 2 PWCs, model RXT, built in 2007, imported by an individual in Cyprus in 2014, from USA. The craft, although fully technically compliant at the time of production according to the manufacturers, are accompanied by DoC that does not conform. In addition the CE marking, according to the manufacturers, was not placed by them (craft were intended for USA market). The US dealer who sold the craft, was aware that the craft were intended for use in Europe. In order for the owner to avoid PCA the dealer was requested to assume responsibility for (a) placing CE marking on craft (b) issue correct DoC (c) confirm no modification was carried out to affect compliance ( from time of built 2007 to 2014 (when craft was placed on the market).

## ANNEX A: REFERENCE LIST OF PRODUCT SECTORS

Product sectors	Relevant legislation <sup>1 2</sup>
1. Medical devices (including In vitro diagnostic medical devices and Active implantable medical devices)	Directives 93/42/EEC, 98/79/EC and 90/385/EEC
2. Cosmetics	Regulation (EC) 1223/2009
3. Toys	Directive 2009/48/EC
4. Personal protective equipment	Directive 89/686/EEC
5. Construction products	Regulation (EU) 305/2011
6. Aerosol dispensers	Directive 75/324/EEC,
7. Simple pressure vessels and Pressure equipment	Directives 2009/105/EC and 97/23/EC
8. Transportable pressure equipment	Directive 2010/35/EU
9. Machinery	Directive 2006/42/EC
10. Lifts	Directive 1995/16/EC
11. Cableways	Directive 2000/9/EC
12. Noise emissions for outdoor equipment	Directive 2000/14/EC
13. Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres	Directive 1994/9/EC
14. Pyrotechnics	Directive 2007/23/EC
15. Explosives for civil uses	Directive 93/15/EEC
16. Appliances burning gaseous fuels	Directive 2009/142/EC

<sup>1</sup> For ease of reference this table indicates established EU legislation. New legislation replacing that listed in the table should be also taken into account for the relevant period in which it is applicable.

<sup>2</sup> For ease of reference in some cases (e. g. eco-design, energy labelling), this table only indicates EU framework legislation, but is intended to cover also product-specific EU legislative acts.

17. Measuring instruments, Non-automatic weighing instruments and Pre-packaged products	Directives 2004/22/EC, 2009/23/EC and 2007/45/EC
18. Electrical equipment under EMC	Directive 2004/108/EC
19. Radio and telecom equipment under RTTE	Directive 1999/5/EC
20. Electrical appliances and equipment under LVD	Directive 2006/95/EC
21. Electrical and electronic equipment under RoHS and WEEE and batteries	Directives 2011/65/EU, 2002/96/EC and 2006/66/EC
22./A Chemical substances under REACH and Classification and Labelling Regulations	Regulations (EC) 1907/2006 and 1272/2008/EC
22. /B Other chemicals (Detergents, Paints, Persistent Organic Pollutants, Fluorinated greenhouse gases, Ozone Depleting Substances, etc.)	Regulation (EC) 648/2004, Directive 2004/42/EC, Regulation (EC) 850/2004, Regulation (EC) 842/2006 and Regulation (EU) 517/2014, Regulation (EC) 1005/2009
23. Eco-design and Energy Labelling; Efficiency requirements for hot-boilers fired with liquid or gaseous fuels	Directives 2009/125/EC and 2010/30/EU; Directive 1992/42/EEC
24. Tyre labelling	Regulation (EC) 1222/2009
25. Recreational crafts	Directive 1994/25/EC
26. Marine equipment	Directive 96/98/EC
27. Motor vehicles	Directives 2002/24/EC and 2007/46/EC
28. Non-road mobile machinery	Directive 97/68/EC
29. Fertilisers	Regulation (EC) 2003/2003
30. Other consumer products under GPSD (optional)	Directive 2001/95/EC
31. Biocides	Regulation (EU) 2012/528
32. Textile labelling	Regulation (EC) 1007/2011
33. .... (Additional sectors – please specify)	





# Cyprus Market Surveillance System - Annex B

