

***NATIONAL MARKET SURVEILLANCE
PROGRAMME
2017
Iceland***

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1. GENERAL MARKET SURVEILLANCE ORGANISATION AND INFRASTRUCTURE

The Agreement on the European Economic Area (EEA Agreement) entered into force on 1 January 1994. According to the EEA Agreement Iceland, Norway and Liechtenstein are participating in the EU Internal market with the same legal rights and obligations as EU Member States. Subsequently Iceland has implemented all applicable general and sectorial legislation in the field of free movement of goods as well as basic principles of the old and new approach directives. Iceland therefore participates fully in the Single market of Europe according to the provisions of the EEA Agreement. It is thus necessary in Iceland to ensure in the same way as in Member States of the EU, that products benefiting from the free movement of goods within the Community fulfil requirements providing a high level of protection of public interests such as health and safety in general, protection of consumers, health and safety at the workplace including protection, while ensuring that the free movement of products is not restricted to any extent greater than that which is allowed under Community harmonisation legislation or any other relevant Community rules. The EU legislation is transposed into Icelandic legislation by various legal acts as well as ministerial regulations or decrees and enforcement of these rules is entrusted to several market surveillance authorities (MSAs). The Consumer Agency (Neytendastofa) is the responsible market surveillance authority in case that a particular product does not fall under any other authority according to sector specific legislation. According to the Icelandic legislation producers, importers, distributors and retailers are required to produce and market only safe products that are in conformity with national as well as European harmonised legislation in the field of various product categories that are covered by the EU sector specific legislation as well as in the area of General Product Safety. The principles of product liability as regulated in Council Directive 85/374/EEC, concerning liability for defective products are also implemented in Iceland; cf. Act No 25/1991, on product liability, as amended.

Regulation (EC) No 765/2008 of the EP and of the Council, setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93, was transposed in Iceland on 3rd of June 2013 with the adoption of ministerial IS Regulation No 566/2013, on market surveillance and accreditation.

According to article 3 of IS Regulation no. 566/2013, on market surveillance and accreditation, the Consumer Agency (Neytendastofa) has the main responsibility to draw up the National Market Surveillance Plan for Iceland, in cooperation with other authorities responsible for market surveillance being referred to in the applicable legislation for various sectors and product categories. The Consumer Agency is a law enforcement authority established by Act No 62/2005, on the Consumer Agency. With reference to this legal basis, the Consumer Agency has prepared this document, which is the annual general National Market Surveillance Programme for Iceland as required by Article 18(5) of Regulation 765/2008.

Act No 134/1995, on safety of products and official market controls (SPOM) is the legal instrument transposing the General Product Safety Directive (GPSD) 2001/95/EC into national legislation of Iceland.

The general organisation and administration of market surveillance in Iceland is also regulated in the Act No 134/1995, (SPOM), as amended.

In Article 14 of the Act No 134/1995 the role and legal obligations of the Consumer Agency is defined further. According to this Act, the Consumer Agency is responsible for general co-ordination of official market controls in the field of product safety in co-operation with other MSAs in order to ensure efficiency and coordination of their market surveillance activities. The Agency shall coordinate actions if products due to their properties can possibly be subject to market surveillance by more than one authority and thereby ensure that one lead authority does handle the subject matter. The Agency shall keep an overview, co-ordinate and prepare as appropriate, the contracts that other MSAs may conclude with private and accredited inspection bodies if market surveillance authorities outsource the inspection activities to such private sector inspection bodies. Article 14 stipulates that the Consumer Agency is the RAPEX contact point of Iceland. The Consumer Agency is also the national contact point for the ICSMS database.

In Article 15 of Act No 134/1995, the role of other MSAs is defined as being responsible for market surveillance activities according to their sector specific rules and regulations, and they shall ensure strategic and effective market surveillance and take legal measures if necessary.

In Article 16 of Act No 134/1995, the Consumer Agency has the responsibility to establish a Cooperation Committee in order to ensure effective cooperation with other market surveillance authorities that are entrusted with product safety issues in specific fields of the legislation. The Cooperation Committee shall meet and discuss market surveillance plans of all MSAs as well as other relevant organisational issues that are of concern for official market controls as well as notifications in respect to certain products if necessary, e.g. in order to clarify concrete issues or problems that may occur, etc. The Consumer Agency can decide on the number of committees but at present, the Agency has only convened one Committee with representatives of all other MSAs and Customs Iceland. At these meetings, the annual NMSP is discussed as well as other issues regarding development of EU legislation in the field of product safety and other issues that concern national legislation implementing the EU product legislation.

In general the MSAs in Iceland are national authorities and are based in the capital of Reykjavík except one.. In some cases these national authorities may have some inspectors located in different local towns in Iceland, although their activities are in the capital of Reykjavík.

Most of the cases that are taken for further examination are inspected by the MSAs themselves and their public officials. Such inspections are in majority of the cases necessary in order to follow up notifications that they have received. In addition to that, and equally important, the

MSAs have to have an oversight on the market of what is available in the market and where the products can be found. It is also important that MSAs are visible themselves to have deterrence for product sellers. To bare in mind that they need to follow the rules of product safety and that they can only apply products on the market that fulfils all the requirements that apply to the product. Also MSAs need to fulfil the objectives of the national market surveillance plans and strategies for own initiative actions. In some cases though, certain MSAs have been allocated special funds according to the National State Budget which they can use in order to hire private and usually accredited inspection bodies that undertake market inspections on behalf of the Authority. If such a method is used the private inspection body must deliver a report on their findings to the Authority that gave the mandate for the inspection. Then the market surveillance authority (MSA) has to take a decision if they are going to take any legal measure based on the reports made by the inspection body, i.e. if the economic operator in question does not take voluntary actions.

The basic objectives of all activities in the field of market surveillance in Iceland are to ensure that unsafe and/or non-compliant products are not circulated in the market and to ensure proper enforcement of the legislation in the field of safety and compliance of products to legal requirements. All the MSAs are working together (and in some cases jointly) to that goal in each field and in some cases in collaboration with the customs.

1.1. Identification and responsibilities of national market surveillance authorities

Market surveillance authorities (MSAs) in Iceland are all organised as central structures that are responsible for market surveillance at national level and the in various sector specific fields of the EU legislation with horizontal responsibilities.

In Iceland there are currently 9 market surveillance authorities responsible for market surveillance in the area of product safety and compliance, namely:

(1)The Consumer Agency, (2) The Icelandic Medicines Agency, (3) The Administration of Occupational Safety and Health in Iceland, (4) The Icelandic Construction Authority, (5) The Post and Telecom administration in Iceland, (6) The Icelandic Food and Veterinary Authority, (7) The Icelandic Transport Authority, (8) The Environment Agency of Iceland and (9) The Icelandic Radiation Safety Authority.

An overview of these MSAs can be found in the table below along with information on which EU legislation they cover, respectively, cf. the list of EU legislation at www.newapproach.org and the reference list of product sectors, cf. *Annex 2 doc. 2014 IMP MSG 16*. It should also be noted that Old Approach Directives in the field of free movement of goods are implemented in Iceland and covered by various sector specific market surveillance authorities, such as the Icelandic Transport Authority, the Environment Agency of Iceland, Icelandic Medicines

Control Agency and also in some cases such as crystal glass by the Consumer Agency, but these EU acts are not included in the table below.

In addition, as explained in the section above, the Consumer Agency, according to Act No 134/1995 has the obligation to ensure general organization of official market control and market surveillance of products in cooperation with other sector specific market surveillance authorities (MSAs) in order to ensure effectiveness and coordination of market surveillance activities, cf. Article 14 of Act No 134/1995.

To avoid duplications, information that is even more detailed is found in sections 2.1.1.-2.1.9, where each of these authorities gives a clear and precise overview of general characteristic of each organisation and their area of responsibility. These chapters contain information on the contact details of each authority, such as postal addresses, websites, contact persons and their contact details, information about budget, staff and technical means of each of the nine authorities. More detailed information on the sectorial and national plans, as well as distribution of responsibilities between national market surveillance authorities in Iceland can also be found in chapter two. Finally, at the websites of these authorities' further information can be found on their market surveillance activities.

Table – Overview of responsible MSAs and EU acquis:

Responsible Market Surveillance Authority (MSA) in Iceland	Council Directive / Regulation	Subject Directive	Website
<i>The Consumer Agency</i>	Directive 2001/95/EC	Other consumer products under GPSD	www.neytendastofa.is
<i>The Consumer Agency</i>	Directive 89/686/EEC and Regulation (EU) 2016/425 (not yet transposed)	Personal protective equipment: consumer market	www.neytendastofa.is
<i>The Consumer Agency</i>	Directive 2009/48/EC	Toys	www.neytendastofa.is
<i>The Consumer Agency</i>	Regulation (EC) 1007/2011	Textile labelling	www.neytendastofa.is

<i>The Consumer Agency</i>	Directive 2013/29/EC (recast of 2007/23/EC)	Pyrotechnics	www.neytendastofa.is
<i>The Consumer Agency</i>	Directives 2014/32/EC 2009/23/EC and 2007/45/EC	Measuring instruments, Non-automatic weighing instruments and Pre-packaged products	www.neytendastofa.is
<i>The Consumer Agency</i>	Directive 2001/95/EC	Other consumer products under GPSD (optional)	www.neytendastofa.is
<i>The Consumer Agency and the Icelandic Transport Authority</i>	Directives 2002/24/EC and 2007/46/EC	Motor vehicles	www.neytendastofa.is and www.samgöngustofa.is
<i>The Consumer Agency and the Icelandic Transport Authority</i>	Regulation (EU) No 167/2013	Approval and market surveillance of agricultural and forestry vehicles	www.neytendastofa.is and www.samgöngustofa.is
<i>The Consumer Agency and the Icelandic Transport Authority</i>	Regulation (EU) No 168/2013	Approval and market surveillance of two- or three-wheel vehicles and quadricycles	www.neytendastofa.is and www.samgöngustofa.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 89/686/EEC and Regulation (EU) 2016/425 (not yet transposed)	Personal protective equipment: in the workplace	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 75/324/EEC, and directive of Commission No 2013/10/EU	Aerosol dispensers	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directives 2009/105/EC and 97/23/EC	Simple pressure vessels and Pressure equipment	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 2010/35/EU	Transportable pressure equipment	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 2006/42/EC and Directive 2009/127/EU	Machinery	www.vinnueftirlit.is

<i>Administration of Occupational Safety and Health in Iceland</i>	2014/33/EU	Lifts and safety components of lifts	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 2014/28/EU	Making available on the market and supervision of explosives for civil uses (Explosives for civil use	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Regulation (EU) 2016/424	Cableways	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 2000/14/EC	Noise emissions for outdoor equipment	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 2009/142/EC	Appliances burning gaseous fuels	www.vinnueftirlit.is
<i>Administration of Occupational Safety and Health in Iceland</i>	Directive 97/68/EC, 2002/88/EC, 2004/26/EC, 2006/105/EC, 2010/26/EU, 2011/88/EU, 2012/46/EU	Non-road mobile machinery, as amended	www.vinnueftirlit.is
<i>The Icelandic Construction Authority</i>	Regulation (EU) 305/2011	Construction products	www.mannvirkjastofnun.is
<i>The Icelandic Construction Authority</i>	Directive 2014/34/EU	Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres	www.mannvirkjastofnun.is
<i>The Icelandic Construction Authority</i>	Directive 2014/30/EU	Electrical equipment under EMC	www.mannvirkjastofnun.is
<i>The Icelandic Construction Authority</i>	Directive 2014/35/EU	Electrical appliances and equipment under LVD	www.mannvirkjastofnun.is

<i>The Icelandic Construction Authority</i>	Directives 2009/125/EC and Directive 1992/42/EEC	Eco-design and Efficiency requirements for hot-boilers fired with liquid or gaseous fuels	www.mannvirkjastofnun.is
<i>The Icelandic Construction Authority</i>	Regulation (EC) 1222/2009	Tyre labelling	www.mannvirkjastofnun.is
<i>The Icelandic Construction Authority</i>	Directive 2010/30/EC	Energy labelling	www.mannvirkjastofnun.is
<i>The Environment Agency of Iceland</i>	Directives 2011/65/EU, 2002/96/EC and 2006/66/EC	Electrical and electronic equipment under RoHS and WEEE and batteries	www.umhverfisstofnun.is
<i>The Environment Agency of Iceland</i>	Regulation (EC) 1223/2009	Cosmetics	www.umhverfisstofnun.is
<i>The Environment Agency of Iceland</i>	Regulations (EC) 1907/2006 and 1272/2008/EC	/A Chemical substances under REACH and Classification and Labelling Regulations	www.umhverfisstofnun.is
<i>The Environment Agency of Iceland</i>	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	/B Other chemicals (Detergents, Paints, Persistent Organic Pollutants, Fluorinated greenhouse gases, Ozone Depleting Substances, etc.)	www.umhverfisstofnun.is
<i>The Environment Agency of Iceland</i>	Regulation (EU) 2012/528	Biocides	www.umhverfisstofnun.is
<i>Icelandic Transport Authority</i>	Directive 1994/25/EC, 2003/44, cf. Regulation (EU) 1882/2003, &1137/2008 &1025/2012	Recreational crafts	www.samgongustofa.is
<i>Icelandic Transport Authority</i>	Directive 2014/90/EU	Marine equipment	www.samgongustofa.is
<i>Icelandic Medicines Agency</i>	Directives 93/42/EEC, 93/68/EEC, 98/79/EC, 2000/70/EC, 2007/47/EC, and 90/385/EEC	Medical devices (including In vitro diagnostic medical devices and Active implantable medical devices)	www.lyfjastofnun.is

<i>The Post and Telecom administration in Iceland</i>	Directive 2014/53/EU	Radio and telecom equipment under RTTE	www.pfs.is
<i>The Icelandic Food and Veterinary Authority</i>	Regulation (EC) 2003/2003	Fertilisers	www.mast.is
<i>The Icelandic Radiation Safety Authority</i>	Directive 2014/35/EU, 2006/42/EU	Laser pointers (LVD & battery)	www.gr.is

1.2. Coordination and cooperation mechanisms between national market surveillance authorities

As explained in the previous sections the Consumer Agency is a law enforcement authority established by Act No 62/2005, on “Neytendastofa” or the Consumer Agency. The Consumer Agency is according to Act No 134/1995 also responsible for the general organization of official market control and market surveillance activities in cooperation with other sector specific market surveillance authorities (MSAs) in order to ensure effectiveness and coordination of market surveillance activities, cf. Art 14 -16 of Act No 134/1995.

The consultations are carried out in a co-ordination Committee according to the provisions of Article 16 of Act No 134/1995, as amended. All MSAs are convened to these meetings. Representatives attending these meetings are legal experts or case handlers responsible for issues concerning market surveillance within each market surveillance authority. Meetings are not taking place on a regular basis but are convened by the Consumer Agency as necessary, and normally at least once a year. All MSAs can whenever they deem it necessary request that a meeting is convened in order to discuss certain issues that may arise in between the meetings convened by the Agency. Within this general framework for co-operation of national market surveillance authorities consultations take place; first and foremost regarding New approach directives. Old approach directives and national legislation implementing those directives is in principle also subject to the general organisation of market surveillance at national level. In these meetings the Consumer Agency has also presented various issues regarding new developments at European or national level that may be relevant to other MSAs, issues are discussed regarding for instance how to increase awareness and give scope for further co-operation and information exchange between national authorities. Representatives of Customs are also invited and attend the meetings and give input in respect to the role of Customs in relation to product safety issues. Annually the Consumer Agency circulates the draft NMSP between the members of the Co-ordination committee and normally a draft is discussed at the regular annual meeting as well as the planned and proposed tasks or actions in the coming year. In these meetings the experts and case handlers have a good opportunity to share information and knowledge from various cases that have occurred in the respective sector and also if some

MSAs are participating in AdCo meetings information can be shared as well on their activities or on-going activities.

The Consumer Agency, as well as other MSAs, gives priority to reactions to notifications received from EEA Member States as well as notifications received directly from consumers and other market participants. In general, the co-operation of national MSA will be enhanced as necessary, possibly with more regular meetings. The Agency will continue to give priority to enhanced cooperation and exchange of information between the Authority and economic operators as well as their federations to ensure knowledge transfer and sharing of information relating to product safety issues to the extent possible. A good example of such an initiative was a general meeting organised by the Consumer Agency on the CE Mark and rules that apply in EU product legislation on the basis of the EU information campaign in relation to the implementation of the New Legislative Framework. Also the Authority translated the EU website on CE marking and will continue to update and promote this website to economic operators in order to increase their knowledge and understanding of important issues on how economic operators must ensure correct conformity assessments of products that form the basis of the correct CE marking of products.

More detailed information is given in section 2 of this document about the tasks of each market surveillance authority and cooperation between certain authorities, when appropriate.

1.3 Cooperation between national market surveillance authorities and Customs

The Icelandic Regulation No 566/2013 is the national transposition of Regulation (EU) 765/2008, on market surveillance, accreditation and repealing Regulation 339/93/EC. Regulation 339/93/EEC was previously implemented in Iceland by a Ministerial regulation No 237/1996, on the surveillance of conformity of import of products from countries outside the European Economic Area (third countries), but it has now been repealed with the adoption of IS Regulation No 566/2013. Provisions of Regulation (EU) 765/2008 therefore apply now fully in Iceland in respect to border controls in same way as is the case is for EU Member States and the other EFTA EEA States. It should however be noted that Iceland is not a member to the EU Customs Union. Due to this reason it need to be studied further whether the Icelandic Customs can obtain some kind of bilateral arrangement or agreement with DGTAXUD that would facilitate its access to information on border controls that at present only is available to EU MS Customs. In Iceland Decision of Council and EP No 768/2008/EC; on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC has not been transposed. The main reason is that the Ministry is of the opinion that the Annex of this EU act contains the formula and guidance to EU Commission for revision and drafting of new EU legislation on CE markings and legal obligations of producers in various product specific EU laws that are to be revised and reviewed by the EU legislator. It can however be argued that the main text of the Decision is addressed to all economic operators and would therefore be useful to have this decision implemented into the national legal order as well.

Cooperation with customs plays a significant role in controlling what products can be placed on the market in the EU and EEA countries. Good collaboration will help to identify products before they are placed on the market and cleared by customs. Therefore it is important to establish key functions for the best practice regarding collaboration between market surveillance authorities and the Customs. The customs authorities have a very important position in terms of market surveillance because they have the power to decide whether a product should be released for free circulation or not. The market surveillance authorities are dependent on good cooperation with Customs in order to prevent dangerous products, or products not in conformity, from entering the Internal market of Europe. In addition to the provisions of IS Regulation No 566/2013 the Icelandic Customs Act No 88/2005 does contain provisions found in Article 60 of the Act that enables the Customs of Iceland to stop import of goods and consult relevant and competent authorities if the import of these goods is in breach of national legislation and/or administrative provisions that apply and are relevant to goods. The customs authorities have all documents related to imports from third countries as well as EEA Member States and this information can be use in order to target products that are likely to present risk to consumers or may not be in conformity with the legislation. The officers of the customs authority are however not experts and do not have any specific knowledge of the products fields covered by various Icelandic MSAs but these officers can play an important role for detection of unsafe or non-compliant products that are imported to Iceland.

The Icelandic customs authorities therefore do contact national competent authorities in various sector specific fields when necessary and if there is a reason to believe that goods that are in customs clearance do not fulfil national legislation concerning the safety of the products or the product(s) in question is not in conformity. The Consumer Agency has requested that Customs Iceland would publish on their website the “Guidelines for import controls in the area of product safety and compliance” and preferably translate the document into Icelandic. Also Customs have received the checklists that have been produced in relation to the aforementioned guidelines.

In small countries like Iceland the flow of information’s between market surveillance authorities and the Custom’s is very good and it is rather easy to get in contact to one another. The majority of the products that come to Iceland are from Europe and the odds that they meet the conditions are set quite high. The officers at Customs are a very valuable source of information on imported products, such as country of origin as well as quantities to be imported, name of importer, etc. The information contained in customs declarations is normally quite detailed and provides a useful knowledge for the authority in respect to import of goods. Customs normally also receive information in advance concerning products are to be imported into the EEA/EU market.

In Iceland today we have mainly two different methods when it comes to cooperation with the Customs. Firstly, in order to monitor imports upon the request of Market Surveillance

Authorities the Customs authority can filter certain customs codes and send this information to the requesting Market Surveillance Authority. On receipt of this information the market surveillance authority in question can more easily take contact with the importer and receive documentation immediately and before clearance by Customs, in order to verify the conformity of the product to requirements made by the legislation. Secondly, the Customs Authority can also on their own initiative send information to the Market Surveillance Authority with names of importers of goods in certain custom codes that also can be very helpful for investigations or special actions that the MSA carries out at various points in time. These procedures will hopefully increase the efficiency of market surveillance and normally will be more cost-effective than carrying out inspections at various point of sale after goods have been cleared through customs and placed on the market. However it is clear that it will be necessary to adapt current customs procedures in order to bring more focus on product safety issues and CE marking of products.

The cooperation with Customs is of course valuable and can increase mutual understanding of what is within their scope to do in order to assist MSAs and likewise and what kind of assistance the MSAs can expect to get from the Customs.

It is expected that cooperation with customs in Iceland will be enhanced even further in the near future in light of provisions of Regulation (EC) 765/2008 and that bilateral meetings between officers of the Consumer Agency and Customs will continue in order to continue dialogue on best practices and better cooperation between the authorities. It is important to have clear guidelines and check lists available to ensure efficient and clear procedures.

1.4 Rapex information system

According to Article 14 of Act No 134/1995, on General Product Safety, the Consumer Agency is the national Rapex Contact Point. In 2012 the GRAS-RAPEX platform was introduced to all other national market surveillance authorities and their direct access to be able to *create* notification directly into the system was ensured. The Consumer Agency is the national “*validator*” of notifications submitted by other MSAs in Iceland. The tasks and role of the national RAPEX contact points of the EEA EFTA Member States is thus equivalent to the tasks and role of the national Rapex Contact points of Member States of the European Union. During the validation process the national RAPEX Contact Points of the EEA EFTA Member States will notify the EFTA Surveillance Authority (ESA) that a validation and reactions are in pending. After consultation between the Consumer Agency and ESA the officer of Consumer Agency validates the notifications that have been pending.

Every week the Consumer Agency ensures the publication on its website of all RAPEX notifications. Furthermore, each national authority in Iceland may use several additional methods in order to evaluate whether notification on dangerous products is relevant for the Icelandic market or not. For instance within the Consumer Agency the RAPEX notifications

are reviewed on the basis of brand names and countries where the products have been distributed in order to establish further whether the products are likely to be found on the Icelandic market. Due to lack of resources it can be problematic to carry out daily monitoring of all notifications received during the year. In light of the great number of notifications on dangerous or non-conforming products that are received the Consumer Agency as well as other MSAs in Iceland need to consider carefully the relevance of those notifications to the Icelandic national market. It is thus necessary to establish some priority and attention to products that are quite likely to be found in the market rather than to give priority to products that for various reasons are not likely to be distributed in the Icelandic market according to experience and market trends. For example more attention is given to products found and notified by neighbouring countries but also from other areas such as most visited countries by Icelandic citizens for tourist reasons on summer holidays, etc.

All MSAs in Iceland do have access to the GRAS-RAPEX system and must ensure that notifications on products which they are responsible for are verified and the importer and retailers are contacted and made aware of notifications on products that are found in the national market.

In case of the Consumer Agency a case handler goes through new RAPEX notifications and checks if any of the products are likely to be on the national market. If Iceland is stated as “*Country of destination*” the officer will contact the economic operator. In other cases and if there is no such indication the officers might search for the product via Internet by typing the product name from the notification and/or other relevant information. In some cases, for instance if the notification concerns toys that are likely to be on the market even though Iceland is not marked as the “Country of destination” the officer will send an e-mail to a toy-group and ask if participants in that group are selling the product or if they know whether the product is sold in Iceland. If a product is found on the market or if there is a suspect that the product is on the market the officer will send the distributor or the importer a letter or an e-mail about the product and photos. In some cases it can be necessary to follow up on the e-mail with a phone call if there are emergency measures. Most of the operators take voluntary actions according to the notification, and in some cases some of them have even already taken actions. The Consumer Agency then publishes information in respect to these products on our website and send a reaction to the Rapex system. If the operators´ don´t take voluntary actions the Consumer Agency will take legal action whenever necessary.

If a product is found on Rapex that the Consumer Agency thinks that it is likely that came to the country by other ways, e.g. internet shopping, shopping while travelling etc. we publish a notification on our Facebook site to inform consumers.

1.5 ICSMS information system

The Consumer Agency, as well as being the RAPEX Contact Point, is also the national contact point for ICSMS.

Increasingly all 9 MSAs in Iceland are using the ICSMS database for reference and to obtain information on products that are not in conformity to harmonised legislation and also to gain access to test reports that other MSAs in Europe have obtained and uploaded to the system. The ICSMS database is therefore playing an increasingly important role for many market surveillance authorities in Iceland and their daily work and monitoring of the product safety and conformity within the Icelandic market.

The Consumer Agency contemplates to translate manuals and information into Icelandic. The database is only at present available in English but it would seem reasonable to translate information to the extent possible since that would certainly facilitate the use for national inspectors and enhance knowledge about market surveillance issues.

1.6 General description of market surveillance activities and relevant procedures

According to the Icelandic legislation producers, importers, distributors and retailers are required to produce and place on the market only safe products that are in conformity with national, as well as European harmonised legislation, in the field of various product categories falling under EU /EEA product legislation. Into the EEA Agreement have been included both New-approach as well as Old-approach Directives. In order to ensure conformity and safety of products the respective national market surveillance authorities (MSA's) are obliged according to the legislation to carry out market surveillance within the various areas of the EU acquis. The basic objectives of their activities is to ensure that unsafe and/or non-compliant products are not placed or circulated in the market and ensure proper enforcement of the legislation in the field of safety and compliance of products to legal requirements.

Due to limited human and financial resources the general approach to market surveillance is more reactive than proactive. Most authorities will follow up on notifications and complaints, both from consumers, businesses and foreign authorities. In addition, market surveillance authorities also do carry out various campaign projects aimed to inform consumers and economic operators. The general procedure when authorities follow up on notifications or complaints is either to send a formal letter or send an inspector to do on-site inspection. Facilities for testing of compliance of products to prescribed requirements are very limited in Iceland. This can cause problems in some cases especially when the MSAs need proof of evidence in respect to products that possibly do not comply or meet requirements of standards referred to in the legislation or otherwise. Therefore, the procedure is usually to ask for appropriate documents that confirm that the product is safe, e.g. test reports, declaration of conformity and other technical documents if needed. The Consumer Agency does take into

account and uses established principles of risk assessments referred to in Article 19 of Regulation 765/2008, cf. also the general basis for risk assessments found in the RAPEX guidelines. The „Book“ that PROSAFE published in 2009 also gives national market surveillance authorities a good overview of main issues that need to be taken into consideration regarding risk assessments, checks and other market surveillance activities. Furthermore the more recent tool of the EU Commission on risk assessments and guidelines (RAG) is also of value and great help for national officials responsible for the enforcement of the EU legislation. Some other authorities may use other type of risk models that they think is more relevant to their products and market surveillance. Risk assessment by MSAs in Iceland is therefore normally carried out in accordance with best practices. It must however be underlined that financial and human resources are limited in most competent market surveillance authorities in Iceland. Inspection and product checks are planned and organised mostly as regular activity of the competent authorities, respectively. In some authorities the on-site checks are carried out by accredited inspection bodies based on a request from the market surveillance authority responsible in that particular field of product safety. In most authorities the case officers will however do inspections themselves. The two different methods for on-site inspections have their advantages and disadvantages. Direct inspections activities performed by the market surveillance officials themselves their direct contact with market operators and therefore good insight to the market situation at any time. When MSAs use an intermediary inspector from an accredited inspection body operating in the private sector on the mandate of the MSA the officers will have less direct knowledge of the actual circumstances in the market place since they do not perform the visual inspections themselves. The inspectors and/or accredited body after inspection and visits to the importer or shop in question file a report concerning their visit to economic operator and the inspections performed, as well as the results of the on-site visits. This report as well as documentation is of essential importance for the relevant competent authority (MSA). It is however always the task of the public officials of the MSA that is the responsible market surveillance authority in the respective sector specific field to take legal decision(s) on necessary enforcement measures, e.g. recalls, sales bans, etc. if necessary and based on the relevant provisions of the sector specific legislation in question on the basis of reports and findings made by the relevant inspection body or the public official that has undertaken the on-site inspection and visit to the economic operator. Due to decrease in the State Budget financial resources to pay for services of accredited bodies has been reduced and reduction of internal staff of many MSAs may in the long term lead to less inspections and market surveillance. A fundamental issue of the free movement of goods within the European Internal Market is that Member States must ensure appropriate market surveillance within their jurisdiction. Enhancement of market surveillance is therefore an important challenge and also legally necessary in order to fulfil obligations that follow from new and more stringent EU rules on market surveillance, cf. Regulation (EC) No 765/2008 as transposed in Iceland by IS Regulation No 566/2013.

In addition to inspections in the market the Consumer Agency; as well as other market surveillance authorities, engage in preventive activities in order to prevent that unsafe or non-

compliant products are placed on the market. Inspections are done and on the basis of notifications received from other market surveillance authorities within EU/EEA in relation to goods that are dangerous or not in conformity with the legislation.

Notifications are received from the RAPEX system, ICSMS and other similar EU alert and information systems. All authorities also receive notifications from consumers and economic operators and process these notifications on dangerous or non-compliant products. As previously has been pointed out due to very limited human and financial resources proactive inspections are very limited and market controls are more reactive. This however may be somewhat variable between subject areas and sectors since the legislator in case of some products provides more financial and human resources to some MSAs than MSAs in other product areas.

The Consumer Agency and other authorities as the case may be, do provide information to the consumers, media as well as economic operators on product safety issues and the EU regulatory framework relating to the safety of goods being placed on the Single EEA/EU market, and information on conformity assessment procedures. It can be noted that the Consumer Agency is also the authority responsible for enforcement of rules on unfair trade practices. This is important in relation to the increasing need for more market surveillance in respect to on-line sales of goods. Recent experience gained by many EU/EEA authorities has shown that very often the breach of product safety legislation does also involve breaches of legislation on unfair trade practices. This competence gives increased synergies between these areas of enforcement activities of the Consumer Agency.

Market surveillance authorities in Iceland can take any measures as necessary to prohibit or restrict the products being made available on the market, such as laying down order to withdraw or recall products from the market, cf. Art 21 of Regulation (EC) 765/2008. In addition to the general restrictive measures regarding products being placed on the market infringements of the Act No 134/1995, as amended, is punishable with fines or imprisonment for up to 2 years if an infringement is not punishable by more severe penalties according to another Act, cf. the provision of Article 41 of the Regulation (EC) 765/2008. The Consumer Agency as well as other MSAs in Iceland however seeks voluntary compliance by economic operators if a product is found to be unsafe or not in compliance with the legislation.

Usually inspections are carried out to the extent possible at the place of the wholesaler and retailers since the vast majority of products are imported and not locally produced in Iceland. Like mentioned previously in section 1.3 of this document the Consumer Agency has enhanced its cooperation with Customs authorities in order to improve controls of products and verify conformity of imported goods before they are cleared by the customs and placed on the market. This procedure will hopefully increase the efficiency of market surveillance and normally will be more cost-effective than carrying out inspections at various point of sale after the goods have been cleared through customs and placed on the market. However it is clear that it will be

necessary to adapt and develop further current customs procedures in order to bring more focus on product safety issues and CE marking of products.

The general measure for alerting users of hazardous products may be different and has to be decided on case by case basis, taking due account of the conditions and the concrete needs in each case. There is also a general and constant need to increase education to consumers and economic operators on product safety issues. It is possible to place information on the websites the authorities', Facebook and also with press releases to the media. In the case of recalls of motor vehicles the distributors usually have access to good registration information of their customers that are registered owners and can contact them directly by letter or otherwise.

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

Icelandic competent authorities are responsible according to the legislation to participate and follow European administrative cooperation as laid down in European Directives, e.g. within the committees assisting the EU Commission (AdCos). Iceland is not a member of the EU and participation costs in administrative committee meetings at EU level have until 2015 not been covered by EU funds, only by national funding. As of 2016 and onwards, the EU Commission has decided to reimburse travel costs for one expert per EFTA EEA Member State in the same way as EU MS experts are reimbursed when participating in EU AdCO meetings. This is very much welcomed by Iceland and this arrangement will encourage and make it possible for many MSAs to actively participate in future AdCo meetings across all EU harmonized legislation. In turn this does increase coordination and ensures better cooperation of MSAs and their public officials within the EEA. More coordination does also increase legal certainty of economic operators both individually and those that do operate within more than one jurisdiction of EU/EEA Member States.

. Experts are also encouraged to sign up to the relevant AdCo groups on the circabc website of the EU Commission in order to have access to all relevant information related to their field of activities..

The Consumer Agency takes part when possible in PROSAFE and various joint actions planned by that organization. Participation in such common activities with other MSA within EEA/EU gives good basis for exchange of information and access to the valuable network of knowledge found within MSAs in Europe. Usually these projects also give valuable experience in respect to the product groups involved but the knowledge and experience gained there is usually transferable to other product areas. The Consumer Agency has from time to time participated in forums prepared by the International Consumer Product Health and Safety Organization (ICPHSO).

Iceland has signed an MOU with the State Administration of Industry and Commerce of the People's Republic of China (SAIC) which gives basis for information exchange between the Consumer Agency in Iceland and SAIC in respect to certain consumer policy issues. During a high level visit in of assistant minister of SAIC in July 2013 the Minister of the Interior agreed with his counterpart in China to initiate a review of the present MOU in order to include also cooperation and information exchange in the field of product safety.

On 11 June 2015 the Ministry of the Interior and the General Administration of quality, supervision, inspection and quarantine of the People's Republic of China (AQSIQ) signed a Memorandum of Understanding between the countries on product safety issues. Product safety issues are of great concern for both sides. Iceland acts mainly as an importer of various products from China which is one of the largest producers of consumer goods in the world. Iceland has ratified the Agreement on the European Economic Area and according to the EEA Agreement Iceland is a full member of the EU Internal Market. On the basis of the EEA Agreement Iceland has transposed into Icelandic legislation the legislation of the European Union on product safety and conformity to legal requirements that are applicable within the EU and EEA internal market. Therefore, the CE-mark is a general requirement according to our law if harmonised EU legislation does apply to the product in concern. The Consumer Agency is the enforcement authority that also is the RAPEX contact point in Iceland and has also a coordinating role in the field of market surveillance. In practice, the Consumer Agency in case of market surveillance activities may need to verify the compliance of products to legal requirements and check information that it obtains from conformity assessment documents. The MOU will facilitate and give grounds for better verification of this information and it will be possible to make contact with Authorities in Beijing to ask for assistance on verifying such information. This will bring a mutual benefit for both Iceland and China. It will also support increasing business transactions between our countries, for the benefit of all. The MOU is therefore a positive step in order to better establish the free trade relations between Iceland and China and does support also support the free trade agreement between these two countries.

As mentioned previously in this document the facilities for testing safety or compliance of products to prescribed requirements are very limited in Iceland or almost non-existent. This can cause problems in some cases especially when the MSAs need to proof with evidence from test laboratories to establish whether products meet or do not meet requirements of standards referred to in the legislation or otherwise. This means that notifications and testing that is done by other EEA authorities have particular importance for the MSAs in Iceland and their enforcement activities. It would be of advantage in the future to take some steps in order to develop further cooperation cross borders with other MSAs within the EEA that could give more ready access to testing laboratories and/or coordinate inspections activities with other MSAs. The Consumer Agency has participated in PROSAFE Joint Actions such as for the safety of helmets, lighters, ladders, just to name a few examples, and within this framework the Consumer Agency has been able to send these products abroad for testing and financial expenses have been covered by the project funds. This has proved to be very useful and valuable

for the Consumer Agency when pursuing its tasks in the field of market surveillance. The Consumer Agency does apply regularly and signs up with various joint actions of PROSAFE in order to enhance cooperation with other MSAs and gain valuable experiences and knowhow. Information prepared by the Commission, PROSAFE and other MSAs are also of great value. In this respect it may be mentioned that the Consumer Agency proactively has handed out such information and informed economic operators about their general responsibilities in case they have distributed or placed dangerous or non-conforming products on the market. The Agency has for example promoted and introduced the CAG (Corrective Actions Guide) prepared by PROSAFE and the Business Application website of the EU, as well as the Blue Guide, and other important information materials that is of importance for economic operators.

1.8 Evaluation of Market surveillance actions and reporting

Annually in May or June the Consumer Agency issues its annual report. In the annual report an overview is given on the cases that were handled during the previous year. The annual report is found on the website but a copy is also sent to media, ministries, various stakeholders and Parliament. Usually there is information on the number of complaints and notifications received, the measures taken and other general results on the activities of the product safety team of the Consumer Agency. The Consumer Agency has not systematically gathered information from all MSAs in Iceland on their activities and made one national compilation giving an overview of the annual actions of all MSAs operating in Iceland. In line with discussions at the IMP-MSG committee meetings as well as CSN meetings the Consumer Agency will increasingly focus increasingly on more communication with media in order to disseminate information on results of Joint Actions and recalls made in the internal market in order to better protect consumers and the public at large.

1.9 Horizontal activities planned for the relevant period

In year 2017 the Consumer Agency has proposed to have more meetings within the Co-operation committee of the MSAs in order to enhance the cooperation and possible exchange of information. In addition, the MSAs have been asked to consider to increase cooperation when planning and undertaking on site visits and inspections for instance to retailers. According to Act No 134/1995 MSAs are required to ensure as efficient and economical way of inspections as possible. Increased cooperation in respect to market surveillance, including joint visits could be one way of decreasing costs for authorities and economic operators. Currently however there are no changes envisaged in relation to the functioning of market surveillance in Iceland. In addition the Consumer Agency will look at continuous ways to improve the procedures for market surveillance and obtain information from EEA/EU authorities through active participation in the European network of safety authorities.

2 MARKET SURVEILLANCE IN SPECIFIC SECTORS

2.1 Medical devices (including in vitro diagnostic medical devices and Active implantable medical devices). Directives 93/42/EEC, 98/79/EC and 90/385/EEC.

2.3.1 Responsible authority and contact details

Responsible market surveillance authority is The Icelandic Medicines Agency (IMA, Lyfjastofnun). The address is Vínlandsleið 14, 113 Reykjavík. The authority's contact details are ima@ima.is.

IMA has no annual budget for conducting market surveillance of medical devices. Since 2014 temporary government funds have covered the cost of one FTE whose focus is on NCAR's and answering enquiries from companies, European agencies and government. IMA possesses no in-house laboratories. IMA anticipates that the permission to collect fees to be able to conduct market surveillance will be in place in 2017.

2.3.2 Market surveillance procedures and strategy

Funding has not allowed procedures or strategy to be developed for market surveillance of medical devices in Iceland. But The Icelandic Medicines Agency handles urgent case responses as far as resources allow.

The IMA has a formal cooperation with the Consumer Agency who is responsible for the coordination of market surveillance of individual sector competent authorities.

2.3.3 Report from activities carried out under the previous planning period

Not applicable.

2.2 Cosmetics. Regulation (EC) 1223/2009

2.2.1 Responsible authority and contact details

The responsible authority is the Environment Agency of Iceland (Umhverfisstofnun), Suðurlandsbraut 24, 108 Reykjavík. The Contact is Einar Oddsson (einar.oddsson@ust.is).

Staff number: 0,5. No in-house laboratory.

2.2.2 Market surveillance procedures and strategy

The Chemicals Team at the Environment Agency is responsible for the market surveillance of chemicals in Iceland. The team follows an inspection plan created for 3 years at a time, and the methodology of project management. The team both works on its own project and also follows up complaints. Each inspection project has a well-defined description, goal, timeframe and a product. Projects are prioritized according to risk and all inspectors follow a written work-process.

The Chemicals Team follows the RAPEX database and sends relevant information about illegal cosmetic products to importers approximately every third month.

If an illegal product is found on the market, the team can use different means of reaction. It can both demand an improvement within a limited time, but also remove the product from the market. If the time limits are not respected the case is sent to the lawyer of the team who takes the case further. In some cases fines may be applied. When appropriate a notification on an illegal product found on the market is submitted to RAPEX, and when a product already notified to RAPEX is found on the market a reaction is submitted to RAPEX.

The Environment Agency is in good cooperation with Customs, the Consumer Agency, the Icelandic Medicine Agency and the Public Health Authorities.

2.2.3 Report from activities carried out under the previous planning period

Enforcement project focusing on the cosmetics labelling and ingredients imported from Countries outside the European Union. One project aimed at sale in a market square in downtown Reykjavík and another relating to banned parabens as ingredient were surveyed at the importers site. <http://ust.is/atvinnulif/efni/eftirlit/eftirlitsverkefni/> (in Icelandic).

2.3 Toys. Directive 2009/48/EC

2.3.1 Responsible authority and contact details

The responsible market surveillance authority is Neytendastofa (The Consumer Agency), Borgartúni 21, 105 Reykjavík. The website is www.neytendastofa.is, the general e-mail is postur@neytendastofa.is and the telephone number is (+354) 510 1100. Contact details are tryggvi@neytendastofa.is, gudrun@neytendastofa.is, edda@neytendastofa.is and helgasigmundsd@neytendastofa.is.

There are no in-house laboratories or technical facilities at the Consumer Agency in this field.

Resources: 0.3 (full-time equivalent units).

2.3.2 Market surveillance procedures and strategy

Market surveillance in the area of product safety of toys is primarily reactive. This means that the Consumer Agency due to lack of human and financial resources primarily follows up on notifications received and complaints on unsafe and/or non-compliant products. To a limited extent the Agency does have some proactive projects, usually in connection with Prosafe Joint Actions. Upon receipt of notification or complaint the usual procedure of the Agency is either to send a letter concerning the product to the distributor and in some cases an on-site inspection may be necessary. If a product is found on the market the Agency will usually ask for relevant documents that may prove that the product is safe and according to law, regulations and

standards that apply to the product. The Consumer Agency has in the past and will continue to take part in the Prosafe's Joint Action on toys in the year 2017.

The Consumer Agency also on regular basis makes public on the website of the Agency press releases and other information on safety issues of toys. If a product is found to be in non-conformity with the Directive the Consumer Agency can take legal measures and has powers to, ban use, sale, distribution and marketing of the product. Furthermore the Consumer Agency has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive.

2.3.3 Report from activities carried out under the previous planning period

All serious incidents or notifications that are notified to the Consumer Agency either via Rapex or directly are investigated. In 2016 the Consumer Agency had to take two formal actions and put a sales ban on Anna&Elsa Princess Barbie dolls because the distributor couldn't verify that they were in conformity with the toy directive and two type of Hello Kitty soft toys because they had no markings. These formal actions are available on the website but only in Icelandic.

2.4 Personal protective equipment for consumers. Directive 89/686/EEC, cf. Regulation (EU) 2016/425.

2.4.1 Responsible authority and contact details

The responsible market surveillance authority is Neytendastofa (The Consumer Agency), Borgartúni 21, 105 Reykjavík. The website is www.neytendastofa.is, the general e-mail is postur@neytendastofa.is and the telephone number is (+354) 510 1100. The main contact is gudrun@neytendastofa.is.

Resources: 0.1 (full-time equivalent units).

2.4.2 Market surveillance procedures and strategy

According to IS Regulation 501/1994 the Consumer Agency is responsible for market surveillance of PPE for consumers but the Administration of Occupational Safety and Health is the relevant authority for other PPEs for use in the workplace. Market surveillance of the Consumer Agency in the field of Directive 89/686/EC is primarily reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products. The Consumer Agency will participate in Prosafe Joint Action on climbing equipment. The Consumer Agency does also organize proactive projects, usually in autumn when many economic operators either give away or are placing on the market personal reflectors. When it comes to personal reflectors market surveillance is quite proactive. Regulation (EU) 2016/425 has been included into the EEA Agreement but has not yet been transposed into national legislation.

The Consumer Agency also on regular basis makes public on the website of the Agency press releases and other information on safety issues of reflectors.

If a product is found to be in non-conformity with the Directive the Consumer Agency does take legal measures and has powers to, ban use, sale, distribution and marketing of the product. Furthermore the Consumer Agency has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive.

2.4.3 Report from activities carried out under the previous planning period

In 2016 the Consumer Agency took a legal actions on PPE for consumers. The Consumer Agency recalled about 2700 reflectors. It is now more common that instance companies that are planning to have for instance reflectors made for marketing purposes as give away gifts to contact the Agency prior to production and marketing of such products.

2.5 Personal protective equipment. Work place. Directive 89/686/EEC, cf. Regulation (EU) 2016/425.

2.5.1 Responsible authority and contact details

The responsible market surveillance is Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Sigfús Sigurðsson, sigfus@ver.is. Phone no.: (+354) 550 4628. According to IS Regulation No 501/1994 the Consumer Agency is the responsible MSA in respect to PPE for consumers.

There are no resources specially assigned for MS of PPE. The person responsible works only part time on MS of PPE. There are no in-house laboratories or technical facilities at AOSH in the field of MS regarding PPE.

2.5.2 Market surveillance procedures and strategy

MS in the field of PPE is reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products. It is carried out by the responsible person and the Labour inspectors.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation. Regulation (EU) 2016/425 has been included into the EEA Agreement but has not yet been transposed into national legislation.

There is a written agreement between AOSH and Neytendastofa (Consumer Agency), which is responsible for MS on PPE for consumers, on cooperation and clarification of responsibilities in the field of MS in the PPE sector.

2.5.3 Report from activities carried out under the previous planning period

All serious accidents are notified to AOSH and investigated. No MS activities were reported in the year of 2016 in the field of PPE.

2.6 Construction Products. Regulation (EU) 305/2011

2.6.1 Responsible authority and contact details

Responsible authority: Iceland Construction Authority (Mannvirkjastofnun), Skúlagata 21, IS-101 Reykjavík, www.mvs.is . Contact person: Mikael Svend Sigursteinsson: Mikael@mvs.is .

A staff of 2 (full time equivalent units) at Mannvirkjastofnun handles market surveillance of construction products. In addition a staff of approx. 0,5 (full time equivalent units) handles the tasks of the inspection company.

All activities with regards to market surveillance of construction products are financed by the annual budget specifically allocated to the issue.

2.6.2 Market surveillance procedures and strategy

Market surveillance is both proactive and reactive. Follow-up complaints and yearly surveillance-plan based on risk assessment.

Cooperation with the Standardisation body, customs and other authorities is planned.

In the beginning of each year is a new market surveillance-plan issued based on risk assessment and on number and severity of last year's complaints.

2.6.3 Report from activities carried out under the previous planning period

Not applicable.

2.7 Aerosol dispensers. Directive 75/324/ECC and Directive of Commission No 2013/10/EU..

2.7.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Ágúst Ágústsson, agust@ver.is . Phone no.: (+354) 550 4634.

There are no resources specially assigned for MS of Aerosol dispensers. The person responsible is also working on several other issues and only part time on MS of Aerosol dispensers.

There are no in-house laboratories or technical facilities at AOSH in the field of Aerosol dispensers.

2.7.2 Market surveillance procedures and strategy

MS in the field of Aerosol dispensers is reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products. It is carried out by the responsible person and the Labour inspectors.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.7.3 Report from activities carried out under the previous planning period

No MS activities were reported in the year of 2016 in the field of aerosol dispensers.

2.8 Simple pressure vessels and Pressure equipment. Directives 2009/105/EC and 97/23/EC.

2.8.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Ágúst Ágústsson, agust@ver.is. Phone no.: (+354) 550 4634.

There are no resources specially assigned for MS of Simple pressure vessels and Pressure equipment. The person responsible is also working on several other issues and only part time on MS of Simple pressure vessels and Pressure equipment.

There are no in-house laboratories or technical facilities at AOSH in the field of Simple pressure vessels and Pressure equipment.

2.8.2 Market surveillance procedures and strategy

MS in the field of Directives 2009/105/EC and 97/23/EC is reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products. It is carried out by the responsible person and the Labour inspectors.

All serious accidents are notified to AOSH and investigated.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to

recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.8.3 Report from activities carried out under the previous planning period

No MS activities were reported in the year of 2016 in the field of simple pressure vessels or pressure equipment.

2.9 Transportable pressure equipment. Directive 2010/35/EU.

2.9.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Ágúst Ágústsson, agust@ver.is. Phone no.: (+354) 550 4634.

There are no resources specially assigned for MS of Transportable pressure equipment. The person responsible is also assigned to working on several other issues and only part time on MS of Transportable pressure equipment.

There are no in-house laboratories or technical facilities at AOSH in the field of Transportable pressure equipment.

2.9.2 Market surveillance procedures and strategy

MS in the field of Directive 2010/35/EC is reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products. It is carried out by the responsible person and the Labour inspectors.

All serious accidents are notified to AOSH and investigated.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.9.3 Report from activities carried out under the previous planning period

No MS activities were reported in the year of 2016 in the field of transportable pressure equipment.

2.10 Machinery. Directive 2006/42/EC and Directive 2009/127/EU.

2.10.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Ágúst Ágústsson (ÁÁ), agust@ver.is. Phone no.: (+354) 550 4634. Contact details regarding Heavy Machinery: Magnús Guðmundsson (MG), mg@ver.is. Phone no.: (+354) 550 4695.

There are no resources specially assigned for MS of Machinery. The persons responsible are also working on several other issues and only part time on MS regarding Machinery. In total there are 17 Inspectors carrying out registrations, MS and annual inspections of Heavy machinery, Lifts and Cableways under the supervision of the responsible person (MG). In terms of other equipment under the Machinery Directive (MD) the MS is carried out by the responsible person (ÁÁ) and the Labour Inspectors.

There are no in-house laboratories or technical facilities at AOSH in the field of MS of machinery.

2.10.2 Market surveillance procedures and strategy

MS in the field of MD is mainly reactive, except for the above mentioned categories of equipment. It is based on reactions to complaints or notifications on unsafe and/or non-compliant products. It is carried out by the responsible person and the Labour inspectors.

All serious accidents are notified to AOSH and investigated. The responsible person (ÁÁ) monitors the work accident statistics to look for tendencies regarding accidents in order to address the causes. This has led to national inspection campaigns, i.e. in the years 2013, 2014, 2015 and 2016 in the Fishing industry.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the impDirective. Non-compliance with the provisions of the Act on Working Environment, Health and Saorter/producer/distributor to destroy the product safely if it cannot be put in conformity with the fety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.10.3 Report from activities carried out under the previous planning period

MS in the field of Directive 2006/42/EC is reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products. It is carried out by the responsible person and the Labour inspectors.

Heavy machinery is under full MS as all new equipment must be registered. In total, approximately 1500 units were registered in the period from 01.01.2016 to 01.12.2016 and during the registration process the compliance of these units is checked.

MS regarding other equipment under Dir. 2006/42/EC is mainly reactive except for the annual actions plans, as mentioned above.

2.11 Lifts. Directive 2014/33/EU.

2.11.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details regarding Lifts: Magnús Guðmundsson, mg@ver.is. Phone no.: (+354) 550 4695.

There are no resources specially assigned for MS of Lifts. The person responsible is also working on several other issues and only part time on MS regarding Lifts. In total there are 7 Inspectors carrying out registrations, MS and annual inspections of Lifts along with other categories such as Heavy machinery.

There are no in-house laboratories or technical facilities at AOSH in the field of MS of Lifts. Inspectors are equipped with the necessary tools and facilities to carry out and register inspections of Lifts.

2.11.2 Market surveillance procedures and strategy

Accidents involving Lifts are to be reported to AOSH acc. to national regulation. They are investigated in the same manner as workplace accidents by Labor inspectors and/or Heavy machinery inspectors.

MS is proactive regarding Lifts. Full Market Surveillance is carried out during registration and first inspection.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.11.3 Report from activities carried out under the previous planning period

Lifts are under full MS as the equipment is inspected and registered before use and during the registration process the compliance is checked, as mentioned earlier. A total of 108 new lifts have been registered in the period from 01.01.2016 to 31.12.2016.

2.12 Cableways. Directive 2009/9/EC.

2.12.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details regarding Cableways: Magnús Guðmundsson, mg@ver.is. Phone no.: (+354) 550 4695.

There are no resources specially assigned for MS of Cableways. The person responsible is also working on several other issues and only part time on MS regarding Cableways. There are 2 Inspectors carrying out registrations, MS and annual inspections of Cableways along with other categories such as Heavy machinery.

There are no in-house laboratories or technical facilities at AOSH in the field of MS of Cableways. Inspectors are equipped with the necessary tools and facilities to carry out and inspections and registrations of Cableways.

2.12.2 Market surveillance procedures and strategy

Cableways are under full MS as the equipment is inspected and registered before use and during the registration process the compliance is checked.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.12.3 Report from activities carried out under the previous planning period

All serious accidents are notified to AOSH and investigated. No new Cableways were registered this year. During the registration process and first inspection of new or reinstalled Cableways, their compliance is checked.

2.13 Noise emissions for outdoor equipment. Directive 2000/14/EC

2.13.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details regarding Dir. 2000/14/EC: Sigurður Karlsson, sk@ver.is. Phone no.: (+354) 550 4620.

There are no resources specially assigned for MS regarding Dir. 2000/14/EC. The person responsible is also working on several other issues and only part time on MS.

There are no in-house laboratories or technical facilities at AOSH in the field of MS of Dir. 2000/14/EC. The responsible person and inspectors are equipped with the necessary tools and Noise level meters to evaluate noise levels out in the field.

2.13.2 Market surveillance procedures and strategy

MS in the field of Directive 2000/14/EC is reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.13.3 Report from activities carried out under the previous planning period

No MS activities were reported in the year of 2016 in the field of Dir. 2000/14/EC.

2.14 Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres. Directive 2014/34/EU.

2.14.1 Responsible authority and contact details

Responsible authority: Iceland Construction Authority (Mannvirkjastofnun), Skúlagata 21, IS-101 Reykjavík, www.mvs.is . Contact person: Birgir Ágústsson: Birgir@mvs.is .

A staff of 2 (full time equivalent units) at Mannvirkjastofnun handles market surveillance with regards to LVD, EMC, ATEX, RoHS, Tyre Labelling, Eco-design and Energy Labelling. In addition a staff of approx. 1 (full time equivalent units) handles the tasks of the inspection company.

All activities with regards to above mentioned market surveillance are financed by the annual budget allocated to electrical safety issues.

2.14.2 *Market surveillance procedures and strategy*

Market surveillance is reactive, based on accidents, complaints and notifications. Penalties Mannvirkjastofnun can apply include restriction of free movement, such as prohibition of being made available, withdrawal or recall. Fines can also be applied in case decisions are not adhered to.

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

Not applicable.

2.15 Pyrotechnics. Directive 2013/29/EU.

2.15.1 *Responsible authority and contact details*

The responsible market surveillance authority is Neytendastofa (The Consumer Agency), Borgartúni 21, 105 Reykjavík. The website is www.neytendastofa.is, the general e-mail is postur@neytendastofa.is and the telephone number is (+354) 510 1100. Contact details are tryggvi@neytendastofa.is and gudrun@neytendastofa.is.

Resources: 0.3 (full-time equivalent units).

2.15.2 *Market surveillance procedures and strategy*

In 2015 transposed into Icelandic legislation the Directive 2007/23/EC and in 2016 the Directive No 2013/29/EU on Pyrotechnic articles. The Directive in line with other „New Approach to technical harmonisation and „standardisation“ changes the legal environment for the production and placing on the market of these products. The Consumer Agency is the responsible market surveillance authority for products falling under the scope of the Directive. According to the applicable rules and regulations the sales period for fireworks is from 28 December until 6 January for New Years' Eve celebrations. Fireworks are imported and most of them have China as country of origin.

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

The Consumer Agency participates in the Prosafe Joint Action on fireworks II. In year 2016 the Consumer Agency collected 750 samples that were sent to LOM in Spain for testing. In consequence to this proactive action the Consumer Agency took decision on sales ban of two products. In other cases, non-conformity of marking and labelling was discovered and the importers were asked to ensure corrective actions in relation to future sales of the products. At the end of year 2016 the Consumer Agency has in continuation of the Prosafe Joint Action has again collected 150 samples that will be sent to LOM for testing.

2.16 Explosives for civil uses. Directive 2014/28/EU.

2.16.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Víðir Kristjánsson, vidir@ver.is. Phone no.: (+354) 550 4622.

There are no resources specially assigned for MS regarding Explosives for civil uses. The person responsible is also working on several other issues and only part time on MS.

There are no in-house laboratories or technical facilities at AOSH in the field of MS regarding Explosives for civil use.

2.16.2 Market surveillance procedures and strategy

MS in the field of Directive 93/15/ECC is reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.16.3 Report from activities carried out under the previous planning period

All serious incidents are notified to AOSH and investigated. No activities are reported in the year of 2016 regarding MS in the field of Explosives for civil use.

2.17 Appliances burning gaseous fuels. Directive 2009/142/EC

2.17.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Ágúst Ágústsson, agust@ver.is. Phone no.: (+354) 550 4634.

There are no resources specially assigned for MS of Appliances burning gaseous fuels. The person responsible is also working on several other issues and only part time on MS of Appliances burning gaseous fuels.

There are no in-house laboratories or technical facilities at AOSH in the field of Appliances burning gaseous fuels.

2.17.2 Market surveillance procedures and strategy

MS in the field of Directive 2009/142/EC is mainly reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products.

No MS activities were reported in the year of 2016 in the field of Appliances burning gaseous fuels. Directive 2009/142/ECf

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.17.3 Report from activities carried out under the previous planning period

All serious accidents are notified to AOSH and investigated. No MS activities were reported in the year of 2016 in the field of appliances burning gaseous fuels.

2.18 Measuring instruments, Non-automatic weighing instruments and Pre-packaged products. Directives 2014/31/EU, 2014/32/EU, 2009/23/EC and 2007/45/EC.

2.18.1 Responsible authority and contact details

The responsible market surveillance authority is Neytendastofa (The Consumer Agency), Borgartúni 21, 105 Reykjavík. The website is www.neytendastofa.is, the general e-mail is postur@neytendastofa.is and the telephone number is (+354) 510 1100. The contact persons are bjarni@neytendastofa.is and benedikt@neytendastofa.is.

The Consumer Agency is the responsible authority for market surveillance of measuring instruments. Furthermore, the Consumer Agency is the National Measurement Institute (NMI) of Iceland and preserves the national measurement standards that are necessary for Iceland. The Agency operates a calibration service that is accredited by UKAS in the areas of mass and heat. In addition the Agency does provide more services that are not yet under the accreditation by UKAS.

Resources: 0.1 (full-time equivalent units).

2.18.2 Market surveillance procedures and strategy

In Iceland almost all measuring instruments that fall under the harmonized legislation of the EU are imported. Importers are mainly various utility service providers, such as providers of electricity and water. In case of measuring instruments other liquids than water such as

measuring instruments for gasoline and oil are also mainly directly imported by large users. Similar situation exists in respect to other measuring instruments that are usually not for sale in smaller retail shops.

The Consumer Agency has mainly reactive market surveillance concerning automatic weighing instruments and measuring instruments for liquids other than water. The re-verification of such instruments is done on basis of mandate given by the Authority to private testing laboratories. These private bodies are instructed to verify at the time of re-verification whether the measuring instruments are in line with EU/EEA legal requirements. In case of doubt these private inspection bodies should inform the Consumer Agency that would then conduct further investigation of the matter.

The surveillance is mainly visual and document inspection. Market surveillance planning on the basis of MID is still under development. Adoption by the Ministry of a new regulation on Capacity serving measures for wine, beer and strong spirits has been delayed. However, when the new regulation will come into force the Consumer Agency will go to the market and check out the serving measures, in this case for instance breweries may provide CE and M marked beer glasses but in other cases the restaurants will need to purchase such instruments from retailers that engage in this kind of business.

When the Consumer Agency receives a notification concerning gasoline pumps from the private body that has the mandate to re-verify the pumps that such an instrument is not in line with the legislation the Agency will investigate and take measures if necessary. However, no such notifications have been received recently.

The market surveillance for Water meters is so far also reactive and usually only checks and requests for documentation is made if the Authority receives a complaint or notification in respect to some Water meters in use.

The Consumer Agency would like to increase market surveillance of measuring instruments that do fall under the EU harmonized legislation and are to be used in legal transactions with consumers. The Consumer Agency would like to extend the cooperation with Customs and request that the Customs will notify the Authority when imports are taking place. This would give officials of the Authority the possibility to do visual and document inspection at the Custom site before the instruments are being delivered to the importing party The Consumer Agency also provides and gives guidance for importers to use reliable suppliers.

Directive 2014/31/EC. The surveillance for Non-automatic weighing instruments is also mainly reactive. We follow up complaints with inspections when we get notifications. The Agency may also receive information from the private body that takes care of inspections and re-verifications of these instruments on basis of the mandate given by the Authority. The market surveillance of a new NAWI first takes place two years after they come to the market when

they are re-verified on initiative of the Consumer Agency if there have been no complaints before. The Consumer Agency also provides guidance for suppliers according to NAWI.

Directive 2007/45/EC. The market surveillance is both proactive and reactive. We follow up complaints with inspections, either at the manufacture or at the retailer, with weighing the product.

2.18.3 Report from activities carried out under the previous planning period

There was an effective market surveillance of measuring instruments and water meters. On the behalf of the Consumer Agency there are verified one accredited tests institute for measuring instruments. .The water meters for hot water are not getting a reverification because the failed the tests.

The non-automatic weighing instruments are verified every second year. In 2016 on behalf of the Consumer Agency, there were around 764 non-automatic instruments verified. If there were any non-automatic weighing instruments found that were outside the directives limits they were reset and then they got verification.

In the year of 2016 there were 55 inspections. There were 49 proactive inspections with pre packed products. Of those 49 products 11 of them failed. There were 6 reactive inspections. Of those 6 products 4 of them failed. When product fails we contact the manufacturer and he gets a chance to correct his product. After that the Consumer Agency re inspect the product.

2.19 Electrical equipment under EMC Directive 2014/30/EU. .

2.19.1 Responsible authority and contact details

Responsible authority: Iceland Construction Authority (Mannvirkjastofnun), Skúlagata 21, IS-101 Reykjavík, www.mvs.is . Contact person: Birgir Ágústsson: Birgir@mvs.is .

A staff of 2 (full time equivalent units) at Mannvirkjastofnun handles market surveillance with regards to LVD, EMC, ATEX, RoHS, Tyre Labelling, Eco-design and Energy Labelling. In addition a staff of approx. 1 (full time equivalent units) handles the tasks of the inspection company.

2.19.2 Market surveillance procedures and strategy

Market surveillance is both proactive and reactive, based on information received from various sources, accidents, complaints from the public, notifications received from other countries and knowledge of the market.

Specific initiatives in 2017 include LED-luminaires, a joint European action on E-cigarettes with other members of EMC-ADCO and the continuation of the LED-floodlights project with other members of LVD-ADCO and EMC-ADCO.

Penalties Mannvirkjastofnun can apply include restriction of free movement, such as prohibition of being made available, withdrawal or recall. Fines can also be applied in case decisions are not adhered to.

Mannvirkjastofnun actively participates in European cooperation, EMC-ADCO, regarding electromagnetic compatibility of electrical equipment.

2.19.3 Report from activities carried out under the previous planning period

Mannvirkjastofnun's enforcement activities in 2016, with regards to EMC, include 3 recommendations to repair/mend minor non-conformities and/or formal non-conformities.

2.20 Radio and telecom equipment under RTTE. Directive 2014/53/EU.

2.20.1 Responsible authority and contact details

Póst- og fjarskiptastofnun (The Post and Telecom administration in Iceland). The authorities contact person are Þorleifur Jónasson thorleifur@pfs.is and. Bjarni Sigurðsson bjarni@pfs.is for the technical division and Maríjon Ósk Nóadóttir marijon@pfs.is for the legal division. There is 0,2 feu and no in-house laboratories.

2.20.2 Market surveillance procedures and strategy

The relevant procedures are responding to complaints, occasional on-site market surveillance. Fee penalties not applicable – but confiscating illegal equipment. There is cooperation with customs. The custom monitors the import of equipment in general. The PTA follows up on complaints and performs occasional market surveillance on equipment's. The PTA monitors the spectrum band.

2.20.3 Report from activities carried out under the previous planning period

The PTA has banned sales of illegal equipment (Buoys). The PTA has stopped the usage of not CE-marked equipment. The PTA has confiscated illegal equipment (Buoys, DECT-phones).

2.21 Electrical appliances and equipment under LVD. Directive 2014/35/EU.

2.21.1 Responsible authority and contact details

Responsible authority: Iceland Construction Authority (Mannvirkjastofnun), Skúlagata 21, IS-101 Reykjavík, www.mvs.is . Contact person: Birgir Ágústsson: [Birgir@mvs.is](mailto:birgir@mvs.is) .

A staff of 2 (full time equivalent units) at Mannvirkjastofnun handles market surveillance with regards to LVD, EMC, ATEX, RoHS, Tyre Labelling, Eco-design and Energy Labelling. In

addition a staff of approx. 1 (full time equivalent units) handles the tasks of the inspection company.

2.21.2 Market surveillance procedures and strategy

Market surveillance is both proactive and reactive, based on information received from various sources, accidents, complaints from the public, notifications received from other countries and knowledge of the market.

Specific initiatives in 2017 include LED-luminaires, E-cigarettes, lighting chains and the continuation of the LED-floodlights project with other members of LVD-ADCO and EMC-ADCO.

Penalties Mannvirkjastofnun can apply include restriction of free movement, such as prohibition of being made available, withdrawal or recall. Fines can also be applied in case decisions are not adhered to.

Mannvirkjastofnun actively participates in both Nordic cooperation, NSS-MK, and European cooperation, LVD-ADCO, regarding safety of electrical equipment.

2.21.3 Report from activities carried out under the previous planning period

Mannvirkjastofnun enforcement activities in 2016, with regards to LVD, include 3 withdrawals from the market and 7 recommendations to repair/mend minor non-conformities and/or formal non-conformities.

2.22 Electrical and electronic equipment under RoHS and WEEE and batteries. Directives 2011/65/EU, 2002/96/EC and 2006/66/EC.

2.22.1 Responsible authority and contact details

The responsible authority is the Environment Agency of Iceland (Umhverfisstofnun), Suðurlandsbraut 24, 108 Reykjavík. The contacts are Hólmfríður Þorsteinsdóttir (holmfridur.th@ust.is) and Gunnlaug H. Einarsdóttir (gunnlaug@umhverfisstofnun.is)

Staff number: 0,25. No in-house laboratory.

2.22.2 Market surveillance procedures and strategy

The Sustainable Consumer Team at the Environment Agency is responsible for the market surveillance of WEEE and batteries in Iceland. The team follows an inspection plan created for 3 years at a time – first for the period 2015-2017, and the methodology of project management. The prioritization of who is inspected, is based on market share (amount imported). For batteries both point of sale and importers were inspected, however the focus regarding WEEE is on importers and producers.

If an illegal product is found on the market, the team can use different means of action. It can both demand an improvement within a limited time, but also remove the product from the market. If the time limits are not respected the case is sent to the lawyer of the team who takes the case further.

The Environment Agency operates the registration system.

The Environment Agency is in good cooperation with Customs and The Iceland Recycling Fond.

2.22.3 Report from activities carried out under the previous planning period

One enforcement project focused on the duties of the Icelandic Recycling Fond, which is the only take back scheme operating in Iceland, both for batteries and WEEE. Total of 40 inspections in 23 companies were executed. Also communication with the local municipalities, regarding their obligation to offer their citizens free disposal of this type of waste at their waste collection stations. Report of the surveillance from 2015 is on the agencies website, <http://ust.is/atvinnulif/starfsleyfi-og-efirlit/raf-og-rafeindataeki/#Tab3> (In Icelandic).

2.23 Electrical and electronic equipment under RoHS. Directive 2011/65/EU.

2.23.1 Responsible authority and contact details

Responsible authority: Iceland Construction Authority (Mannvirkjastofnun), Skúlagata 21, IS-101 Reykjavík, www.mvs.is . Contact person: Birgir Ágústsson: Birgir@mvs.is .

A staff of 2 (full time equivalent units) at Mannvirkjastofnun handles market surveillance with regards to LVD, EMC, ATEX, RoHS, Tyre Labelling, Eco-design and Energy Labelling. In addition a staff of approx. 1 (full time equivalent units) handles the tasks of the inspection company.

All activities with regards to above mentioned market surveillance are financed by the annual budget allocated to electrical safety issues.

2.23.2 Market surveillance procedures and strategy

Market surveillance is reactive, based on complaints and notifications.

Penalties Mannvirkjastofnun can apply include restriction of free movement, such as prohibition of being made available, withdrawal or recall. Fines can also be applied in case decisions are not adhered to.

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

Not applicable.

2.24 /A Chemical substances under REACH and Classification and Labelling Regulations. Regulations (EC) 1907/2006 and 1272/2008/EC.

2.24.1 *Responsible authority and contact details*

The responsible authority is the Environment Agency of Iceland (Umhverfisstofnun), Suðurlandsbraut 24, 108 Reykjavík. The contact for CLP are Einar Oddsson (einar.oddsson@umhverfisstofnun.is) and Ísak Sigurjón Bragason (isak.bragason@ust.is) for REACH.

Staff number: 1,0. No in-house laboratory.

2.24.2 *Market surveillance procedures and strategy*

The Chemicals Team at the Environment Agency is responsible for the market surveillance of chemicals in Iceland. The team follows an inspection plan created for 3 years at a time, and the methodology of project management. The team both works on its own project and also follows up complaints. Each inspection project has a well-defined description, goal, timeframe and a product. Projects are prioritized according to risk and all inspectors follow a written work-process.

If an illegal product is found on the market, the team can use different means of reaction. It can both demand an improvement within a limited time, but also remove the product from the market. If the time limits are not respected the case is sent to the lawyer of the team who takes the case further. In some cases fines may be applied.

The Environment Agency is in good cooperation with Customs, the Consumer Agency and the Public Health Authorities.

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

Enforcement projects focusing on the labelling and safety data sheets of chemical substances and mixtures in hardware-stores and car and car-care products. A project analysing substances of very high concern in artificial turf (rubber granulates) from football fields around Iceland was carried out. <http://ust.is/atvinnulif/efni/efirlit/efirlitsverkefni/> (in Icelandic)

2.25 /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.

2.25.1 Responsible authority and contact details

The responsible authority is the Environment Agency of Iceland (Umhverfisstofnun), Suðurlandsbraut 24, 108 Reykjavík. The contacts are Helga Ösp Jónsdóttir (helga.jonsdottir@umhverfisstofnun.is) for paints and POP, Einar Oddsson (einar.oddsson@ust.is) for detergents cleaners and Ísak Sigurjón Bragason (isak.bragason@ust.is) for F-gases and ODS.

Staff number: 0,6. No in-house laboratory.

2.25.2 Market surveillance procedures and strategy

The Chemicals Team at the Environment Agency is responsible for the market surveillance of chemicals in Iceland. The team follows an inspection plan created for 3 years at a time, and the methodology of project management. The team both works on its own project and also follows up complaints. Each inspection project has a well-defined description, goal, timeframe and a product. Projects are prioritized according to risk and all inspectors follow a written work-process.

If an illegal product is found on the market, the team can use different means of reaction. It can both demand an improvement within a limited time, but also remove the product from the market. If the time limits are not respected the case is sent to the lawyer of the team who takes the case further. In some cases fines may be applied.

The Environment Agency is in good cooperation with Customs, the Consumer Agency and the Public Health Authorities.

2.25.3 Report from activities carried out under the previous planning period

Two market surveillance projects were carried out regarding F-gases, one relating to import in disposable/non-refillable containers and the other relating to the annual import. A market surveillance project relating to ODS substances on the market was carried out, with emphasis on HCFC. <http://ust.is/atvinnulif/efni/eftirlit/eftirlitsverkefni/> (in Icelandic)

2.26 Eco-design and Efficiency requirements for hot-boilers fired with liquid or gaseous fuels. Directives 2011/65/EU, 2002/96/EC and 2006/66/EC.

2.26.1 Responsible authority and contact details

Responsible authority: Iceland Construction Authority (Mannvirkjastofnun), Skúlagata 21, IS-101 Reykjavík, www.mvs.is . Contact person: Margrét Ósk Óskarsdóttir: margret@mvs.is .

A staff of 2 (full time equivalent units) at Mannvirkjastofnun handles market surveillance with regards to LVD, EMC, ATEX, RoHS, Tyre Labelling, Eco-design and Energy Labelling. In

addition a staff of approx. 1 (full time equivalent units) handles the tasks of the inspection company.

All activities with regards to above mentioned market surveillance are financed by the annual budget allocated to electrical safety issues.

2.26.2 Market surveillance procedures and strategy

Market surveillance is reactive, based on complaints and notifications.

Penalties Mannvirkjastofnun can apply include restriction of free movement, such as prohibition of being made available, withdrawal or recall. Fines can also be applied in case decisions are not adhered to.

Mannvirkjastofnun actively participates in both Nordic cooperation, Nordsyn, and European cooperation, Ecodesign-ADCO, regarding ecodesign requirements of energy-related products.

2.26.3 Report from activities carried out under the previous planning period

Not applicable.

2.27 Tyre and energy labelling. Regulation (EC) 1222/2009 and Directive 2010/30

2.27.1 Responsible authority and contact details

Responsible authority: Iceland Construction Authority (Mannvirkjastofnun), Skúlagata 21, 101 IS-101 Reykjavík. Contact person: Margrét Ósk Óskarsdóttir: margrét@mvs.is.

A staff of 2 (full time equivalent units) at Mannvirkjastofnun handles market surveillance with regards to LVD, EMC, ATEX, RoHS, Tyre Labelling, Eco-design and Energy Labelling. In addition a staff of approx. 1 (full time equivalent units) handles the tasks of the inspection company.

All activities with regards to above mentioned market surveillance are financed by the annual budget allocated to electrical safety issues.

2.27.2 Market surveillance procedures and strategy

Market surveillance is both proactive and reactive, based on information received from various sources, complaints from the public, notifications received from other countries and knowledge of the market.

Specific initiatives in 2017 include Energy Labelling of vacuum cleaners, fans, ventilation, and heat pumps and labelling of summer tyres.

Penalties Mannvirkjastofnun can apply include restriction of free movement, such as prohibition of being made available, withdrawal or recall. Fines can also be applied in case decisions are not adhered to.

Mannvirkjastofnun actively participates in both Nordic cooperation, Nordsyn, and European cooperation, Energy Labelling-ADCO, regarding energy labelling requirements of energy-related products.

2.27.3 Report from activities carried out under the previous planning period

Mannvirkjastofnun enforcement activities in 2016, with regards to Energy Labelling, include 11 recommendations to improve energy labelling in shops.

2.28 Recreational crafts. Directive 1994/25/EC, 2003/44, cf. Regulation (EU) 1882/2003, &1137/2008&1025/2012.

2.28.1 Responsible authority and contact details

Responsible MSA: Samgöngustofa / Icelandic Transport Authority, Ármúla 2, 108 Reykjavík Iceland. icetra@icetra.is. Phone number +354 4806000. Contact details: Geir Þ Geirsson, geirg@samgongustofa.is, +354-4806000.

2.28.2 Market surveillance procedures and strategy

MS in the field of Recreational crafts is reactive, based on document control at import (DOC) of all imported crafts and MS when crafts 6 m and longer are registered.

2.28.3 Report from activities carried out under the previous planning period

In 2016 DOC for 37 recreational crafts falling under the scope of RCD directive where inspected- cooperation with customs.

Of those 1 was registered as recreational craft and MS carried out in initial survey before registration.

2.29 Marine equipment. Directive 2014/90/EU.

2.29.1 Responsible authority and contact details

Samgöngustofa / Icelandic Transport Authority, Ármúla 2, 108 Reykjavík Iceland. icetra@icetra.is Phone +354 4806000. Contact details: Geir Þ Geirsson, geirg@samgongustofa.is, +354-4806000

2.29.2 *Market surveillance procedures and strategy*

MS in the field of Marine equipment is reactive, based on inspection at retail and spot check and enquiry. MS carried out at retails. Cooperation as needed with member states.

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

In regards to market surveillance of marine equipment, surveillance was carried out at 3 service providers for: life rafts and provisions, immersion suits, rocket parachute flares and hand flares. And at equipment inspection's in initial surveys of 25 vessels.

2.30 Motor Vehicles. Directives 2002/24/EC and 2007/46/EC.

2.30.1 *Responsible authority and contact details: Neytendastofa / Samgöngustofa*

The responsible market surveillance authority is Neytendastofa (The Consumer Agency), Borgartúni 21, 105 Reykjavík. The website is www.neytendastofa.is, the general e-mail is postur@neytendastofa.is and the telephone number is (+354) 510 1100. The contact persons are gudrun@neytendastofa.is, edda@neytendastofa.is and helgasigmundsd@neytendastofa.is.

The registration of new motor vehicles in Iceland is under the responsibility of the Iceland Transport Authority (Samgöngustofa). Recalls and alerts to the public regarding motor vehicles is the responsibility of the Consumer Agency (Neytendastofa).

Resources: 0.1 (full-time equivalent units).

2.30.2 *Market surveillance procedures and strategy*

This market surveillance is reactive. The Consumer Agency gets all notifications if motor vehicles are recalled from the market. The Consumer Agency then sends out a press release on the website of the Agency in order to inform consumers and the public at large. Car dealers usually are informed by the manufacturer and normally they will send a letter to the owner of the car according to a database that shows who is the owner of a specific car. The Consumer Agency also monitors and follows upon Rapex notifications on cars or other motor vehicles and sends letters to the relevant car dealer if a car that is notified is sold on the Icelandic market.

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

The Consumer Agency has notified consumers with a press release on the website if a car is being recalled. Also the car dealer sends the owners of the car letters.

2.31 Non-road mobile machinery. Directive 97/68/EC, as amended cf. 2002/88/EC, 2004/26/EC, 2006/105/EC, 2010/26/EU, 2011/88/EU, 2012/46/EU.

2.31.1 Responsible authority and contact details

Responsible MSA: Vinnueftirlit ríkisins (Administration of Occupational Safety and Health - AOSH), Bíldshöfða 16, 110 Reykjavík. Contact details: Ágúst Ágústsson, agust@ver.is. Phone no.: (+354) 550 4634. Contact details regarding Heavy Machinery: Magnús Guðmundsson, mg@ver.is. Phone no.: (+354) 550 4695.

There are no resources specially assigned for MS of non-road mobile machinery. The persons responsible are also working on several other issues and only part time on MS regarding non-road mobile machinery. In total there are 17 Inspectors carrying out registrations, MS and annual inspections of Heavy machinery including non-road mobile machinery.

There are no in-house laboratories or technical facilities at AOSH in the field of MS of machinery. Heavy machinery inspectors are equipped with the necessary tools and facilities to carry out and register inspections.

2.31.2 Market surveillance procedures and strategy

MS in the field of Directive 97/68/EC is mainly reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products.

If a product is found to be in non-conformity with the Directive the AOSH has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the AOSH has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive. Non-compliance with the provisions of the Act on Working Environment, Health and Safety in Workplaces No. 46/1980 and regulations that are issued accordingly, regarding MS, is punishable by fines, unless heavier punishment is applicable through other legislation.

2.31.3 Report from activities carried out under the previous planning period

No MS activities were reported in the year of 2016 in the field of non-road mobile machinery.

2.32 Fertilisers. Regulation (EC) 2003/2003.

2.32.1 Responsible authority and contact details

Matvælastofnun (The Icelandic food and veterinary authority). The authority's contact person is Valgeir Bjarnason, senior officer, valgeir.bjarnason@mast.is. There is a 0,5 full time equivalent units. No in house laboratory, samples are sent abroad for analyses.

2.32.2 *Market surveillance procedures and strategy*

Mineral fertilisers are all imported to Iceland from European countries. All fertiliser products must be registered at the Icelandic Food and Veterinary Authority, where the contents of nutrients are declared. It should also be declared that the cadmium content of phosphorus in the fertilisers is not higher than 50 mg Cd/ kg P (or 22 mg Cd/kg P₂O₅). The Authority takes samples of fertilisers intended for farm use and the labels are checked. The samples are taken by the methods laid down in annex IV of the regulation 2003/2003. The results are compared to the registered values for each fertiliser product and the tolerance is compared to the values laid down in annex II of the regulation.

If products do not comply and the values analysed under the allowed tolerances or the cadmium content is above the maximum value, the product are taken off the official registry and must be reregistered at the Authority and sampled and analysed, and give compliant results before it can be distributed to the clients.

All fertilisers imported to Iceland are coming from European countries, mainly from Estonia, Finland, Sweden, Norway, U.K., Ireland and Holland. The fertilisers are shipped to Iceland and the inspections are done at the ports. Therefore all the inspections are done with good cooperation with the Icelandic customs and the import companies. However there is very little cooperation with the authorities in the exporting countries.

There is no direct import of fertilisers from third countries.

The risk analyses for the inspections are done in context to the amount of fertiliser imported (tonnes), number of products and how compliant the fertilisers were last year. The inspection period is very short each year or just two months (March to May), which is the time the fertilisers are waiting for distribution at the ports.

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

Last year (2016) 56 products of fertilisers were inspected at the ports. 5 products were not compliant. Thereof 2 were non-compliant for nitrogen (N), one for phosphorus (P), 2 for potassium (K), none for calcium (Ca), 1 for sulphur (S), 1 for boron (B) and none was too high in cadmium (Cd). Some of these non-compliances are for the same products.

2.33 Other consumer products under GPSD. Directive 2001/95/EC.

2.33.1 *Responsible authority and contact details*

The responsible market surveillance authority is Neytendastofa (The Consumer Agency), Borgartúni 21, 105 Reykjavík. The website is www.neytendastofa.is, the general e-mail is postur@neytendastofa.is and the telephone number is (+354) 510 1100. The contact persons are gudrun@neytendastofa.is, helgasigmundsd@neytendastofa.is and edda@neytendastofa.is.

Resources: 0.8 (full-time equivalent units).

2.33.2 Market surveillance procedures and strategy

Market surveillance in the field of directive 2001/95/EC is primarily reactive, based on reactions to complaints or notifications on unsafe and/or non-compliant products. The Consumer Agency also does to some extent engage in proactive projects when necessary or certain issues may have occurred in the market. The usual procedure is either to send a letter concerning the specific product or officers undertake inspections on-site at the premises of distributors or retailers. If a product is found on the market officers usually ask for relevant documents that are required in order to prove whether the product is safe and in conformity with requirements according to law, regulations and standards that apply to the product. The Consumer Agency is participating in Prosafe Joint Actions on safety barriers, soothers and soothers holders and playground equipment. In the year 2017 the Agency will also take part in Prosafe joint action on child care articles. If a product is found to be in non-conformity with the Directive and general safety requirements of Act No 134/1995, on product safety and official market control, the Consumer Agency has powers to, ban use, sale, distribution and marketing of the product. Furthermore, the Consumer Agency has powers to recall the product if it has been put in circulation and lastly to oblige the importer/producer/distributor to destroy the product safely if it cannot be put in conformity with the Directive.

2.33.3 Report from activities carried out under the previous planning period

All serious incidents are notified to the Consumer Agency and investigated. When necessary we take relevant actions. The projects on safety barriers, soother and soother holders and playground equipment are still running. The Prosafe project on cots and travel cots ended. We took three cots, two travel cot and one travel cot with accessories. All these six cots were sent to a test lab in Spain. Three of them fail the test. There were two distributors that voluntarily took their products off the market. One distributor did not so we had to make a sales ban on his product.

2.33 Biocides. Regulation (EU) 2012/528.

2.33.1 Responsible authority and contact details

The responsible authority is the Environment Agency of Iceland (Umhverfisstofnun). The address is Suðurlandsbraut 24, 108 Reykjavík. The contact person is Björn Gunnlaugsson (email: bjorngunn@ust.is).

Staff number: 1. No in-house laboratory.

2.33.2 Market surveillance procedures and strategy

The Chemicals Team at the Environment Agency is responsible for the market surveillance of chemicals in Iceland. The team follows an inspection plan created for 3 years at a time, and the methodology of project management. The team both works on its own project and also follows up complaints. Each inspection project has a well-defined description, goal, timeframe and a

product. Projects are prioritized according to risk and all inspectors follow a mutual work-process.

If an illegal product is found on the market, the team can use different means of reaction. It can both demand an improvement within a limited time, but also remove the product from the market. If the time limits are not respected the case is sent to the lawyer of the team who takes the case further.

The Environment Agency is in good cooperation with Customs, the Consumer Agency, the Icelandic Medicine Agency, the Icelandic Food and Veterinary Authority and the Public Health Authorities.

2.33.3 Report from activities carried out under the previous planning period

No new inspections projects were initiated in 2016. However follow-up from 2015 inspections projects were carried out from these following Product types:

- 1) On Product types 14 (Rodenticides) and 18 (Insecticides, acaricides and products to control other arthropods)
- 2) On Product type 19 (Repellents and attractants)

In all projects the focus was on market authorisation, labeling and access to safety data sheets.

2.34 Textile labelling. Regulation (EC) 1007/2011.

2.34.1 Responsible authority and contact details

The responsible market surveillance authority is Neytendastofa (The Consumer Agency), Borgartúni 21, 105 Reykjavík. The website is www.neytendastofa.is, the general e-mail is postur@neytendastofa.is and the telephone number is (+354) 510 1100. Contact details are thorunn@neytendastofa.is and matthildur@neytendastofa.is.

There are no in-house laboratories or technical facilities at the Consumer Agency in this field.

Resources: 0

2.34.2 Market surveillance procedures and strategy

Market surveillance in the area of Textile labelling is primarily reactive in case of complaints or information request.

Due to lack of human and financial resources it is not possible to make market surveillance planning in general.

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

The Consumer Agency attended the 1st meeting of ADCO Group on textile names and labelling in November. The Agency plans to attend further meetings and is willing to participate in future market surveillance actions as much as possible taking into account the limited resources.

2.35 Lasers. LVD2014/35EU, 2006/42/EU..

2.35.1 *Responsible authority and contact details*

The responsible authority is Geislavarnir ríkisins (The Icelandic Radiation Safety Authority). The website is gr.is and the general e-mail is gr@gr.is. The contact person is Elísabet Dolinda Ólafsdóttir, edo@gr.is. Budgett staff: 0,2.

2.35.2 *Market surveillance procedures and strategy*

Monitor accidents; publish information, issue of licences.

An Icelandic regulation no 1139/2015 on lasers and laser-pointers refers to EN 60825-1 for classification. According to this regulation, notification should be sent to IRPA prior to import of laser pointer of class 3R, 3B and 4 (above 1 mW). Their use is forbidden without a permit from IRPA. The use of other non-medical lasers does also need permit (e.g. in laser shows).

The legislation is and will be enforced in cooperation with Icelandic Customs.

2.35.3 *Report from activities carried out under the previous planning period*

16 laser pointers have been stopped in customs in 2016. 12 permits have been issued.