

Questionnaire findings

Findings from the study of the completed national questionnaires on marked surveillance of construction products

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AD-CO CPD meeting 06.04.2006

QUESTIONNAIRE

1. HAVE YOU GOT A WORKING SYSTEM FOR MARKET SURVEILLANCE OF CONSTRUCTION PRODUCTS?
2. WHAT DOES YOUR LEGISLATIVE SYSTEM LOOK LIKE? ARE CONSTRUCTION PRODUCTS COVERED BY GENERAL PRODUCT SAFETY LEGISLATION OR BUILDING LEGISLATION?
3. WHO ARE THE COMPETENT MARKET CONTROL AUTHORITIES? THE SAME AS THE BUILDING AUTHORITIES?
4. HOW DO YOU MONITOR THE MARKET? ON OWN INITIATIVE OR ON REQUEST?
5. WHAT SANCTIONS ARE LAID DOWN IN LEGISLATION, PLANNED OR IN USE?
6. HAVE YOU ACTED AGAINST FRAUDULENT COMPANIES OR FAULTY PRODUCTS?



Summary

- Question 1: Market surveillance system for construction products in operation?

The great majority of the countries say yes.
Mostly funded by the central government.
Not much cooperation with other EEA states.

Turkey – Answer from the Ministry of Public Works and Settlements: Yes. Inspector groups in charge of the market surveillance of construction products set up. 373 inspectors in 81 provinces.

Sweden – Answer from the National Board of Housing, Building and Planning: Yes. Administered by the National Board, 2,5 man-years.

Summary

- Question 2: Construction products covered by general product safety legislation?

For the majority of the countries this is the case. Some countries have legislation covering both CE-marked and non-CE-marked products



Summary

- Question 3: Competent construction market surveillance authorities same as general building authorities?

About half of the countries have organized it this way.

Some cooperation with customs and working place authorities.

Italy: For essential requirement (ER) 1: Ministry of Infrastructure and Transportation, ER 2: Ministry of the Interior, ER 3-6: Ministry of Industry which also coordinates the activities.

Austria: Building authorities control construction products as part of the ordinary building control.

Summary

- Question 4: Proactive or reactive monitoring of the market?

The majority of the countries does both.

Notified bodies may have a role.

Mostly checks on product documentation, not much testing.



Summary

- Question 5: What sanctions are possible against companies with deficient products?

The great majority of the countries mention withdrawal, banning and fines.

No country describes procedures and routines regarding the formal application of measures.

Germany: Non-conforming products may be prohibited from entering the market or may be withdrawn from the market.

United Kingdom: Prohibition notice may be issued by the authorities. Fines may be imposed; withdrawal from market

Cyprus: The Law gives possibility of imposing imprisonment and fines

Summary

- Question 6: Has the competent authority already taken action?

Most countries answer yes, but it is not always clear if construction products are involved.

Most countries publish their findings on the internet page of the surveillance authority.

Italy: Action has been taken against products without CE-mark. Findings are published on the website

Austria: Yes. Findings are not published. No action on road products

Notes

- Sixteen countries have answered the questionnaire. The data is compiled to the best of our ability to read and understand the answers to the questionnaire. The result is a rather rough survey and we apologize for possible mistakes and misunderstandings.
- We would like to thank the contributing countries very much and remind all stakeholders that the more we know about each other's systems, the more efficient will be the market surveillance. Those who have not responded may still do so, and the findings will be studied.

