

**Review and assessment of the functioning of market
surveillance activities pursuant to Article 18 (6) of
Regulation (EC) No 765/2008**

Finland

Period 2010-2013

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Information on the assessment

Finnish Customs acts as a competent authority on some sectors (cosmetics, toys, personal protective equipment and other consumer products), and the surveillance conducted by Customs and their resources are acknowledged in the respective sectoral assessments.

Sectoral evaluations are made by the respective authorities themselves. Additional information is given in the sectoral assessments.

Overview of general market surveillance activities

A. Review of general market surveillance activities

Information on the general market surveillance organisation and infrastructures in place for the 2010-2013 period

Finland's general market surveillance programme for 2014 describes the organization and structure of Finnish market surveillance and co-operation between market surveillance authorities. It covers Finnish market surveillance within the scope of Regulation 765/2008/EC and the General Product Safety Directive (2001/95/EC). General market surveillance programme was first drafted in Finland for 2013. The current programme describes the organisation and structure of Finnish market surveillance during the period 2010-2013, as well.

During the period 2010-2013 there have been some changes in the organisation of the Finnish market surveillance authorities. As of 2010 market surveillance of consumer products was transferred from Finnish Consumer Agency to Finnish Safety and Chemicals Agency (Tukes). Market surveillance of fertilizer products intended for consumer use is conducted by Finnish Food Safety Authority (Evira).

In 2011 the surveillance of chemicals was transferred from National Supervisory Authority for Welfare and Health (Valvira), Finnish Environment Institute (SYKE) and Evira to Tukes, and the market surveillance of chemicals was transferred to Tukes in 2013.

Information on total resources available for market surveillance activities

		2010	2011	2012	2013
1.1	Budget available to market surveillance authorities in nominal terms (€)	7 367 000	7 711 091	7 203 523	7 389 830
1.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.15	0.15	0.14	0.14
2	Staff available to market surveillance authorities (full-time equivalent units)	93.45	92.76	90.13	90.63
3	Number of inspectors available to market surveillance authorities (full-time equivalent units)	66.9	64.6	64.25	63.65

B. Assessment of the functioning of market surveillance activities

Market surveillance activities have been carried out according to market surveillance programs. Co-operation between different market surveillance authorities has been efficient through different discussion forums (for example Advisory Board of Conformity Assessment Affairs). Finnish market surveillance authorities co-operate closely also with the Customs and participate actively in the work of sectoral Administrative Co-operation Groups (ADCOs). Finnish market surveillance authorities regard the ADCO co-operation very important in their national work.

Finnish market surveillance authorities use the RAPEX and ICSMS systems actively. More information on the use of the information exchange systems can be found in Finland's general market surveillance programme. Finnish market surveillance authorities made a total of 222 RAPEX notifications during 2013. Most notified product groups were electrical appliances and equipment and toys.

The marketing and sale of consumer products sold online (from non-member states) is rapidly increasing, and national surveillance authorities are facing new challenges when trying to verify the compliance of the products which are sold online. Finland has co-operated with other member states regarding this theme.

Market surveillance authorities have noticed that in some sectors the formal requirements (technical documents, CE marking) are not well known or given much attention by economic operators. The meaning of the requirements may not be known or economic operators are not aware of the requirements at all.

Market surveillance activities in specific sectors

Sector 1: Medical Devices

Competent authority: National Supervisory Authority for Welfare and Health (Valvira)

1.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	1258 / 149	1478 / 205	1839 / 245	2206 / 421
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	19	10	10	14
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	19	10	10	14
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	0	0	0
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

The supervisory authority has sought to enhance the effectiveness of market surveillance by communication activities, which have in particular addressed increasing efficiency, visibility and Valvira's website has been the primary communication channel. Communication collaboration has been improved also with official partners at the national level (FIMEA, STUK and Tukes).

Guidance and training collaboration was carried out especially with interest groups of those organisations subject to surveillance (FIHTA, SaiLab, LFTY, SSTY, medical associations, nursing associations)

Medical devices have had a significant role in communicating healthcare as a whole at Valvira. Each year, Valvira has participated in many significant national training events in the sector.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	580 000	600 000	620 000	640 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0012	0.0012	0.0012	0.0012
8	Staff available to market surveillance authorities (full-time equivalent units)	9	9	8	9
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	4	4	4	5

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

During the 2010-2013 period, national market surveillance of medical devices complied with established practices. The adverse incident reporting system, where manufacturers and professional users of medical devices in Finland have a statutory duty to report any non-conformities and adverse incidents occurring in conjunction with the use of medical devices, continued to serve as the key element in surveillance. The number of adverse incident reports has been rising steadily at an annual rate of over 20% (2010: around 1,200 reports, 2013: 2,400 reports).

Implants and especially artificial joints were one product group highlighted during the period. Efforts were made to effectively map the reasons and extent of adverse impacts suffered by users of implants and artificial joints in Finland as part of a broader European follow-up study. The total number of adverse incident reports also includes reports between the authorities, mostly concerning actions taken by manufacturers in other EU Member States. It was not possible to assign additional funding/resources to the market surveillance of medical devices during the 2010-2013 period. The constant rise in the number of reports compared to resources has required urgency classification and risk assessment based processing when processing times agreed between EU authorities have been exceeded. In addition, the number of inspections relating to market surveillance was below target because of a lack of resources.

There has been a constant increase on the market in the number of medical devices sold direct to consumers. At the end of the report period, complaints made by individual citizens about these devices were increasing. In most cases, these complaints resulted in written warnings to distributors and the organisations responsible for marketing, and in requests for comments concerning unacceptable and misleading marketing information.

Sector 2: Cosmetics

Competent authority:

- Finnish Safety and Chemicals Agency (Tukes)
- Finnish Customs

2.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	8	17	58	17
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	10	34	64	18
3.1	number of reactive inspections	10	34	64	18
3.2	number of self-initiated inspections	0	0	2	0
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	103 (Customs)	101 16 (Tukes) 85 (Customs)	120 1 (Tukes) 119 (Customs)	179 (Customs)
4.2	physical checks of products	34 (Customs)	45 (Customs)	60 (Customs)	78 (Customs)
5	Number of inspections resulting in:				
5.1	finding of non-compliance	51 (Customs)	61 (Customs)	97 (Customs)	112 (Customs)
5.2	corrective actions taken by economic operators ("voluntary measures")	2	14	29	5
5.3	restrictive measures taken by market surveillance authorities .	13 (Customs)	30 (Customs)	60 (Customs)	47 (Customs)
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Tukes has actively published information on cosmetics legislation on their website (www.tukes.fi). Although the authority's resources have been very limited, information has been made available to all interested parties at the website. Authorities have also taken part to training courses and seminars arranged by the industry, e.g The Finnish Cosmetic, Toiletry and Detergent Association.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	105 000 30 000 (Tukes) 75 000 (Customs)	106 000 31 000 (Tukes) 75 000 (Customs)	108 000 33 000 (Tukes) 75 000 (Customs)	109 000 34 000 (Tukes) 75 000 (Customs)
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0002	0.0002	0.0002	0.0002
8	Staff available to market surveillance authorities (full-time equivalent units)	1.6 0.3 (Tukes) 1.3 (Customs)	1.6 0.3 (Tukes) 1.3 (Customs)	1.6 0.3 (Tukes) 1.3 (Customs)	1.6 0.3 (Tukes) 1.3 (Customs)
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1.6 0.3 (Tukes) 1.3 (Customs)	1.6 0.3 (Tukes) 1.3 (Customs)	1.6 0.3 (Tukes) 1.3 (Customs)	1.6 0.3 (Tukes) 1.3 (Customs)

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

The main problem in complying with the cosmetics legislation seems to be the lack of competence and knowledge in companies. In Finland the labels need to be both in Finnish and Swedish and this is not often the case in reality. Also the safety assessment is sometimes inadequate.

The Finnish Customs performs regular testing and market surveillance on cosmetic products entering the Finnish market. Restricted substances are found regularly.

Responsibility for the cosmetics legislation issues has been transferred from the Ministry of Employment and the Economy to the Ministry of Social Affairs and Health as of the beginning of 2013. Inside Tukes cosmetics issues were transferred to the Chemical Product Surveillance Department in summer 2013 in order to better synchronize the enforcement with other chemicals related enforcement. Resources have also been added to cosmetics enforcement in 2014.

Sector 3: Toys

Competent authority:

- Finnish Safety and Chemicals Agency (Tukes)
- Finnish Customs

3.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	28	14	31	25
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	77	45	73	81
3.1	number of reactive inspections	43	19	43	40
3.2	number of self-initiated inspections	34	26	30	41
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	706 26 (Tukes) 680 (Customs)	636 29 (Tukes) 607 (Customs)	777 28 (Tukes) 749 (Customs)	713 41 (Tukes) 672 (Customs)
4.2	physical checks of products	36 1 (Tukes) 35 (Customs)	47 1 (Tukes) 46 (Customs)	84 (Customs)	60 5 (Tukes) 55 (Customs)
5	Number of inspections resulting in:				
5.1	finding of non-compliance	229 29 (Tukes) 200 (Customs)	190 10 (Tukes) 180 (Customs)	203 26 (Tukes) 177 (Customs)	189 25 (Tukes) 164 (Customs)
5.2	corrective actions taken by economic operators ("voluntary measures")	28	8	25	18
5.3	restrictive measures taken by market surveillance authorities .	160 1 (Tukes) 159	138 2 (Tukes) 136	73 1 (Tukes) 72	109 7 (Tukes) 102

		(Customs)	(Customs)	(Customs)	(Customs)
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Tukes gives press releases and publishes the results of market surveillance activities and other remarks it has made while carrying out the market surveillance. During 2010-2013, a total of 9 press releases (1-3 each year) were published based on the Toy Safety Directive.

Tukes also informs the consumers, businesses and other stakeholders about changes in legislation or safety requirements. When necessary, training and lectures are provided for associations, schools and other stakeholders.

Tukes also gives guidance to consumers, businesses, and other stakeholders by answering their questions via phone and email. Tukes is also active in the social media and uses its channels to spread the information on the dangerous products, risks, project results and other issues. Tukes constantly looks for new ways to inform the public and the stakeholders about safety issues.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	780 000 230 000 (Tukes) 550 000 (Customs)	780 000 230 000 (Tukes) 550 000 (Customs)	780 000 230 000 (Tukes) 550 000 (Customs)	780 000 230 000 (Tukes) 550 000 (Customs)
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.002	0.002	0.001	0.001
8	Staff available to market surveillance authorities (full-time equivalent units)	13 3 (Tukes) 10 (Customs)	13 3 (Tukes) 10 (Customs)	13 3 (Tukes) 10 (Customs)	13 3 (Tukes) 10 (Customs)
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	12 2 (Tukes) 10 (Customs)	12 2 (Tukes) 10 (Customs)	12 2 (Tukes) 10 (Customs)	12 2 (Tukes) 10 (Customs)

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

Market surveillance programs have been carried out as planned. Programs include 1-3 current projects (topics vary yearly). Despite the relatively small resources Tukes has been effective and 38 recalls and 20 withdrawals have been done during 2010-2013.

Sector 4: Personal protective equipment

Competent authorities:

- Finnish Safety and Chemicals Agency (Tukes): personal protective equipment intended for consumer use
- Occupational Safety and Health authorities (OSH): personal protective equipment intended for use at work
- Finnish Customs

4.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	10 9 (Tukes) 1 (OSH)	14 13 (Tukes) 1 (OSH)	12 11 (Tukes) 1 (OSH)	15 (Tukes)
2.	Number of substantiated complaints by industry concerning unfair competition	3 (OSH)	1 (OSH)	0	0
3.	Number of inspections (total number)	192 46 (Tukes) 146 (OSH)	143 34 (Tukes) 109 (OSH)	133 23 (Tukes) 110 (OSH)	144 36 (Tukes) 108 (OSH)
3.1	number of reactive inspections	11 10 (Tukes) 1 (OSH)	24 20 (Tukes) 4 (OSH)	19 12 (Tukes) 7 (OSH)	35 25 (Tukes) 10 (OSH)
3.2	number of self-initiated inspections	36 36 (Tukes) 0 (OSH)	72 14 (Tukes) 58 (OSH)	81 11 (Tukes) 70 (OSH)	22 11 (Tukes) 11 (OSH)
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	33 32 (Tukes) 1 (OSH)	32 10 (Tukes) 2 (OSH) 20 (Customs)	48 2 (Tukes) 4 (OSH) 42 (Customs)	36 14 (Tukes) 22 (Customs)
4.2	physical checks of products	381 381 (OSH)	138 1 (Tukes) 135 (OSH) 2	212 184 (OSH) 28 (Customs)	357 352 (OSH) 5 (Customs)

			(Customs)		
5	Number of inspections resulting in:				
5.1	finding of non-compliance	265 36 (Tukes) 229 (OSH)	152 22 (Tukes) 113 (OSH) 17 (Customs)	130 16 (Tukes) 86 (OSH) 28 (Customs)	96 26 (Tukes) 63 (OSH) 7 (Customs)
5.2	corrective actions taken by economic operators ("voluntary measures")	30 (Tukes)	20 (Tukes)	13 (Tukes)	14 (Tukes)
5.3	restrictive measures taken by market surveillance authorities .	4 3 (Tukes) 1 (OSH)	16 5 (OSH) 11 (Customs)	32 1 (Tukes) 10 (OSH) 21 (Customs)	22 9 (Tukes) 8 (OSH) 5 (Customs)
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Finnish Safety and Chemicals Agency Tukes publishes press releases and the results of market surveillance activities and other remarks it has made while carrying out the market surveillance. During 2010-2013, in total 5 press releases (0-3 each year) were published based on the Personal Protective Equipment Directive.

Tukes also informs the consumers, businesses and other stakeholders about changes in legislation or safety requirements. When necessary, training and lectures are provided for associations, schools and other stakeholders.

Tukes also gives guidance to consumers, businesses, and other stakeholders by answering their questions via phone and email. Tukes is also active in social media and uses its channels to spread the information on the dangerous products, risks, project results and other issues. Tukes constantly looks for new ways to inform the public and the stakeholders about safety issues.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	195 000 140 000 (Tukes) 40 000 (OSH) 15 000 (Customs)	220 000 140 000 (Tukes) 65 000 (OSH) 15 000 (Customs)	180 000 140 000 (Tukes) 25 000 (OSH) 15 000 (Customs)	195 000 140 000 (Tukes) 40 000 (OSH) 15 000 (Customs)
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0004	0.0004	0.0003	0.0004
8	Staff available to market surveillance authorities (full-time equivalent units)	3.7 2 (Tukes) 1.5 (OSH) 0.2 (Customs)	4.2 2 (Tukes) 2 (OSH) 0.2 (Customs)	3.7 2 (Tukes) 1.5 (OSH) 0.2 (Customs)	3.7 2 (Tukes) 1.5 (OSH) 0.2 (Customs)
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	2 1 (Tukes) 0.8 (OSH) 0.2 (Customs)	2.2 1 (Tukes) 1 (OSH) 0.2 (Customs)	1.8 1 (Tukes) 0.6 (OSH) 0.2 (Customs)	2 1 (Tukes) 0.8 (OSH) 0.2 (Customs)

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

Market surveillance programs have been carried out as planned. Programs include 1-2 current projects (topics vary yearly). Despite the relative small resources Tukes has been effective and 26 recalls and 32 withdrawals have been done during 2010-2013.

Sector 5: Construction products

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

Market surveillance in this sector is carried out on construction products (CP) and rescue service equipment (RSE).

5.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	492 450 (CP) 42 (RSE)	271 229 (CP) 42 (RSE)	264 212 (CP) 52 (RSE)	476 399 (CP) 77 (RSE)
3.1	number of reactive inspections	2 (CP)	44 (CP)	5 4 (CP) 1 (RSE)	64 29 (CP) 35 (RSE)
3.2	number of self-initiated inspections	490	234 185 (CP) 49 (RSE)	266 208 (CP) 58 (RSE)	410 370 (CP) 40 (RSE)
3.3	number of inspections prompted by the customs	0	0	1	2
4	Number of inspections based on:				
4.1	tests performed in laboratories	17 2 (CP) 15 (RSE)	15 (RSE)	0	0
4.2	physical checks of products	hundreds	hundreds	hundreds	hundreds
5	Number of inspections resulting in:				
5.1	finding of non-compliance	4 1 (CP) 3 (RSE)	Errors in the documents of CE-marked products (90 % of	Errors in the documents of CE-marked products (most of	Errors in the documents of CE-marked products (most of

			CP)	the CP) 4 (RSE)	the CP) 9 (RSE)
5.2	corrective actions taken by economic operators ("voluntary measures")	3 (RSE)	all (CP)	all (CP) 0 (RSE)	all (CP) 1 (RSE)
5.3	restrictive measures taken by market surveillance authorities .	1 (CP)	0	4 (RSE)	9 (RSE)
5.4	application of sanctions/penalties	Sales ban with CE-marking (CP)	Sales ban cancelled after corrective actions proved to be made (CP)	2 recalls, 2 withdrawals	5 recalls, 3 withdrawals
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Contacts with economic operators have been highly informative during the whole period 2010-2013. About half of these contacts reported above being recorded to our systems for follow-up reasons.

Co-operation between Tukes and different stakeholders has been very intensive. 5-10 lessons have been given annually. The main responsibility of Construction Product Regulation information and education lies on the Ministry of the Environment. The Confederation of Finnish Construction Industries and its sub groups have been active in educating their members. Both of them have been assisted by Tukes.

The web-site of Tukes has been improved significantly.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	620 000	610 000	650 000	710 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0012	0.0012	0.0012	0.0013
8	Staff available to market surveillance authorities (full-time equivalent units)	5,6	5,3	5,7	5,4
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	4,4	4,4	4,7	4,4

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

During the application of Construction Product Directive only some construction products, mostly for fire prevention needed CE-marking mandatorily in Finland. Preparations for the Construction Product Regulation with full coverage of hENs (harmonised European standards) have been started in 2010 aiming to a knowledge management and effective operative actions by an ultra-light organization.

Development of market surveillance resources in the field of construction products at Tukes has been planned to grow gradually to consist of five experts financed by the Ministry of Environment in early 2014, but this is now late due to financial reasons as well as a high demand of Construction Product Regulation experts in business which has lead to difficulties to employ and keep engineers with a moderate knowledge but high productivity. At the moment Tukes only has two experts employed for this specific sector but the goal is to have all the duties occupied by the end of 2014.

The situation on the field is better than it was believed earlier, but still it is demanding for many manufacturers in Finland, having now a new challenge to beat, while CE-marking is a new issue for several thousands of construction product manufacturers in Finland. Market surveillance authorities are mostly in an informative phase doing widely monitoring and developing systems for CRM (Customer Relations Management). Using the Art 59 of Construction Product Regulation is the main tool.

Inspections leading to an official report afterwards case by case are generally omitted as the change caused by the Construction Product Regulation is huge for Finnish manufacturers and while the market surveillance authorities with tiny resources have been attempting to get as many manufacturers as possible to get covered by our screening systems as well as asking/putting them to decide what to do with the CE-marking. Relevant contacts have been recorded in our CRM systems (without an official report) in order to be controlled cases later on. No "notices to conform" or similar official notices have been necessary so far, outside of a single scope of smoke alarms. Businesses have rapidly made the corrective actions. One ban has been given in 2014 to a manufacturer who used CE-marking in 68 different product types being outside of hENs (EN 1090) and not having ETAs either. This ban is not in a legal force yet as the manufacturer has appealed.

Testing activity is low while a crossover situation caused by the Construction Product Regulation is under way and some former resources (originating from Ministry of Interior) have been cut down which were used for testing smoke alarms and fire extinguishers. Testing activities will start in early 2015 (financed by the Ministry of the Environment) with quite a small volume. In 2016 it will be of a volume of 30 000 €. Instead of intensive local testing we are trying to co-operate and utilize results of tests done in other member states.

There are approximately 8 000 national economic operators under the Construction Product Regulation, and the industry employs around 60 000 people, export 6 bill €/y, import 4 bill €/y, own use of construction products around 10 bill €/y, work sites open around 10 000 all the time, building control inspectors 1000.

Sector 6: Aerosol dispensers

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

6.A. Review of market surveillance activities in the sector

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

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

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

2010 lectures were given about regulatory requirements were given to associations acting on the branch of aerosols.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	12 000	13 000	12 000	13 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.00002	0.00003	0.00002	0.00002
8	Staff available to market surveillance authorities (full-time equivalent units)	0.1	0.1	0.1	0.1
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.1	0.1	0.1	0.1

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

The number of accidents and consumer complaints related to construction or function of aerosol dispensers is low, so the surveillance has been focused on the chemical markings on aerosols.

Sector 7: Simple pressure vessels and pressure equipment

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

7.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	13	20	14	52
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	11	20	26	31
3.1	number of reactive inspections	0	0	4	7
3.2	number of self-initiated inspections	11	20	22	24
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	2	2	0	1
4.2	physical checks of products	0	108	62	79
5	Number of inspections resulting in:				
5.1	finding of non-compliance	1	9	14	6
5.2	corrective actions taken by economic operators ("voluntary measures")	0	9	11	4
5.3	restrictive measures taken by market surveillance authorities .	1	0	0	2
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

- 2011 different air compressor importers have been visited and informed about regulatory requirements, market surveillance and non-compliances which have been found during surveillance
- 2012-2013 manufacturers and importers of heat plants and refrigerator apparatus used in retail shops have been visited. During visits they have been given feedback regarding surveillance

observations and told about regulations concerning the equipment (in some cases product and document surveillance has also been done).

- 2011 an information bulletin for professionals about non-compliances in markings of compressors has been published on the Safety and Chemicals Agency's homepage. 2012-2013 information bulletins about other surveillance results have also been published on the homepage.

- 2011-2013 lectures about regulatory requirements have been given to operators at different events arranged by education organisations and associations

- guidance via telephone and e-mail has been given

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	300 000	406 000	304 000	333 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0006	0.0008	0.0006	0.0006
8	Staff available to market surveillance authorities (full-time equivalent units)	2.25	3.25	2.5	2.5
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	2.25	3.25	2.5	2.5

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

Market surveillance programs have been carried out as planned. Programs include 2-3 current projects per year. Also reactive market surveillance cases have been carried out. Usually the shortcomings found in pressure equipment (consumer / industrial products) have been formal ones and as a result of the cases stakeholders have usually been carried out necessary corrective measures voluntarily. Market surveillance activities have been sufficient taken into account the active role of notified bodies in the sector.

Sector 8: Transportable pressure equipment

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

8.A. Review of market surveillance activities in the sector

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

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

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

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Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	22 000	22 000	22 000	22 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.00004	0.00004	0.00004	0.00004
8	Staff available to market surveillance authorities (full-time equivalent units)	0.2	0.2	0.2	0.2
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.2	0.2	0.2	0.2

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

Market surveillance programs have been carried out as planned. The number of accidents and consumer complaints related to transportable pressure equipment has been low. Reactive surveillance has been carried on the basis of the impulses from the customers. Market surveillance activities have been sufficient.

Sector 9: Machinery

Competent authorities:

- Finnish Safety and Chemicals Agency (Tukes): machinery intended for consumer use
- Occupational Safety and Health authorities (OSH): machinery intended for use at work

9.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	6 (Tukes)	7 (Tukes)	13 (Tukes)	17 (Tukes)
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	275 19 (Tukes) 256 (OSH)	194 24 (Tukes) 170 (OSH)	352 32 (Tukes) 320 (OSH)	172 36 (Tukes) 136 (OSH)
3.1	number of reactive inspections	28 8 (Tukes) 20 (OSH)	51 28 (Tukes) 23 (OSH)	34 19 (Tukes) 15 (OSH)	38 21 (Tukes) 17 (OSH)
3.2	number of self-initiated inspections	247 11 (Tukes) 236 (OSH)	153 6 (Tukes) 147 (OSH)	318 13 (Tukes) 305 (OSH)	134 15 (Tukes) 119 (OSH)
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	10 (Tukes)	6 (Tukes)	6 (Tukes)	15 (Tukes)
4.2	physical checks of products	400 (OSH)	170 (OSH)	330 (OSH)	141 1 (Tukes) 140 (OSH)
5	Number of inspections resulting in:				
5.1	finding of non-compliance	214 14 (Tukes) 200 (OSH)	76 16 (Tukes) 60 (OSH)	187 17 (Tukes) 170 (OSH)	95 25 (Tukes) 70 (OSH)
5.2	corrective actions taken by economic operators ("voluntary measures")	13 (Tukes)	13 (Tukes)	16 (Tukes)	14 (Tukes)
5.3	restrictive measures taken by market	4 (OSH)	6	4	14

	surveillance authorities .		1 (Tukes) 5 (OSH)	1 (Tukes) 3 (OSH)	10 (Tukes) 4 (OSH)
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Finnish Safety and Chemicals Agency Tukes gives press releases and publishes the results of market surveillance activities and other remarks it has made while carrying out the market surveillance. During 2010-2013, a total of 5 press releases (1-2 a year) were published based on market surveillance done according to Machinery Directive.

Tukes also informs the consumers, businesses and other stakeholders about changes in legislation or safety requirements. When necessary, training and lectures are provided for associations, schools and other stakeholders.

Tukes also gives guidance to consumers, businesses, and other stakeholders by answering their questions via phone and email. Tukes is also active in social media and uses its channels to spread the information on the dangerous products, risks, project results and other issues. Tukes constantly looks for new ways to inform the public and the stakeholders about safety issues.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	260 000 140 000 (Tukes) 120 000 (OSH)	205 000 140 000 (Tukes) 65 000 (OSH)	235 000 140 000 (Tukes) 95 000 (OSH)	250 000 140 000 (Tukes) 110 000 (OSH)
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0005	0.0004	0.0004	0.0005
8	Staff available to market surveillance authorities (full-time equivalent units)	6.5 2 (Tukes) 4.5 (OSH)	5 2 (Tukes) 3 (OSH)	6 2 (Tukes) 4 (OSH)	6.5 2 (Tukes) 4.5 (OSH)
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	4 1 (Tukes) 3 (OSH)	2.5 1 (Tukes) 1.5(OSH)	4 1 (Tukes) 3 (OSH)	3.5 1 (Tukes) 2.5 (OSH)

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

Market surveillance programs have been carried out as planned. Programs include 1-2 current projects (topics vary yearly). Despite the relative small resources Tukes has been effective and 22 recalls and 23 withdrawals have been done during 2010-2013.

Sector 10: Lifts

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

10.A. Review of market surveillance activities in the sector

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

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

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

Press releases published during the period of 2010-2013: Passenger can influence the safety of lift travel (2011), Danger in lift gate doors (2012), Safety of lift working (2013).

Annual lift seminars have been arranged to inform the lift branch.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	110 000	138 000	138 000	146 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0002	0.0003	0.0003	0.0003
8	Staff available to market surveillance authorities (full-time equivalent units)	1.25	1.25	1.25	1.25
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1.25	1.25	1.25	1.25

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

National market surveillance programmes have been followed. The market surveillance authority sees that the market surveillance activities have been sufficient.

A need for proactive inspections is not very high, because almost all lifts in Finland are placed on market according to final inspection (annex VI of Lifts Directive) or according to unit verification (annex VIII, module G of Lifts Directive) and not according to modules based on quality assurance.

Sector 11: Cableways

Competent authority: Ministry of Social Affairs and Health, Occupational Safety Department

11.A. Review of market surveillance activities in the sector

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

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

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

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Information on resources

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

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

Market surveillance authorities only perform surveillance of existing cableways and no cases of market surveillance have appeared during the period of 2010-2013 as surveillance of cableways is reactive.

Sector 12: Noise emissions for outdoor equipment

Competent authorities:

- Finnish Safety and Chemicals Agency (Tukes): Noise emission equipment intended for consumer use
- Occupational Safety and Health authorities (OSH): Noise emission equipment intended for use at work
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12.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	65 (OSH)	0	0	0
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	0	0	0	0
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	66 (OSH)	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	50 (OSH)	0	0	0
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

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Information on resources

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

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

All the inspections that OSH has made have been made as a part of NOMAD project (machinery noise).

According to the market surveillance program noise emission surveillance (machinery for consumer use) is reactive. So far the Tukes has not received any complaints or notifications related to noise emission. In consumer machinery market surveillance Tukes focuses on requirements of Machinery safety directive (2006/42/EC) and has not inspected products that need noise emission marking. If those products will be inspected according to Machinery safety directive Tukes will check noise emission markings.

Sector 13: Equipment and protective systems intended for use in potentially explosive atmospheres

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

Regarding the number of product related accidents / user complaints and the number of inspections on this sector see Information on the assessment on page 6.

13.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	4	5	7	6
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	69	80	93	86
3.1	number of reactive inspections	n.a.	n.a.	n.a.	n.a.
3.2	number of self-initiated inspections	n.a.	n.a.	n.a.	n.a.
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	0	0	0
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

The main focus on the field of ATEX-directive has been guidance to economic operators as the conformity of the products is mainly ensured by the notified bodies together with economic operators.

Regarding sectors 13, 18, 20, 21 and 23 a guidance document was prepared for economic operators in 2013 and it is available on the following web-site:

http://www.tukes.fi/Tiedostot/englanti/electricity_elevators/brochure/sahkolaitteiden_valmistus_m_aahantuonti_ja_myynti_eng.pdf

An explanatory seminar concerning the guidance document was also arranged. Almost 300 representatives of economic operators participated.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	50 000	54 000	50 000	52 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0001	0.0001	0.0001	0.0001
8	Staff available to market surveillance authorities (full-time equivalent units)	0.3	0.3	0.3	0.3
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.3	0.3	0.3	0.3

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

Compared to resources available for the job Tukes has succeeded well in giving guidance to economic operators. Projects intended to be carried out according to the national market surveillance plans have been carried out as planned.

Sector 14: Pyrotechnics

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

14.A. Review of market surveillance activities in the sector

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

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

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

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

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

Information on resources

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

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

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

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

¹ Hexachlorobenzene

Sector 15: Explosives for civil uses

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

15.A. Review of market surveillance activities in the sector

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

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

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

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Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	60 000	63 000	61 000	67 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0001	0.0001	0.0001	0.0001
8	Staff available to market surveillance authorities (full-time equivalent units)	0.5	0.5	0.5	0.5
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.5	0.5	0.5	0.5

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

Market surveillance was focused to the explosives traceability marking process and how it was arranged and carried out in 2 companies.

Sector 16: Appliances burning gaseous fuels

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

16.A. Review of market surveillance activities in the sector

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

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

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

A press release is published once a year targeted especially to consumers, who use liquefied petroleum gas in summer cottages.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	120 000	125 000	122 000	133 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0002	0.0002	0.0002	0.0002
8	Staff available to market surveillance authorities (full-time equivalent units)	1	1	1	1
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1	1	1	1

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

Number of product related accidents/user complaints

In most cases accidents/incidents are associated with inadequate installations, operations and maintenance. In accidents question is mostly about very old (15-30 years) gas appliances in summer cottages. Because of fire it's impossible to investigate whether gas leakage was in gas installations or in appliance itself. In the period 2010-2013 we have found defective gas refrigerators, which had CO problems.

Common Nordic projects 2012 and 2013

(Denmark, Norway, Finland, Sweden)

- 1) Gas space heaters with 230 V electrical connections
 - RAPEX from Denmark 2011
 - Project period: 2012
 - Participants in project: DK, NO, FI, SE
 - Verification of product safety: GAD, LVD
 - Tests performed in Denmark
- 2) Gas refrigerators with/without 230 V electrical connections
 - RAPEX from Finland 2010, 2011
 - RAPEX from Denmark 2012
 - Project period: 2013
 - Participants in project: DK, NO, FI
 - Verification of product safety: GAD, LVD
 - Tests performed in Denmark

Sector 17: Measuring instruments, non-automatic weighing instruments and pre-packaged products

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

17.A. Review of market surveillance activities in the sector

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

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

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

Tukes has

- developed online content about the requirements for measuring instruments, weighing instruments and e-marked pre-packages put on the market and taken into use
- renewed guidance documents for different interest groups regarding the requirements for measuring instruments, weighing instruments and pre-packages (e.g. measures used in serving of alcohol, weighing instruments used for weighing precious metals in trade, measuring instruments used in direct sales to the public)
- given lectures to interest groups about the requirements set for e-marked prepackages, energy meters, water meters, weighing instruments and measuring instruments in general
- participated in developing common market surveillance practises on EU-level
- trained local municipal authorities about the requirements for measuring instruments and weighing instruments
- gathered information on identifying operators in the field of utility meters

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	20 000	23 000	22 000	22 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.00004	0.00005	0.00004	0.00004
8	Staff available to market surveillance authorities (full-time equivalent units)	0.2	0.2	0.2	0.2
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.1	0.1	0.1	0.1

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

Market surveillance activities for measuring instruments and non-automatic weighing instruments have been reactive and relied on informative actions and training. The national legal metrology legislation has been renewed during the time period 2010-2013. Also, considering the number of complaints received and results of in-service inspection, the decision to prioritise informative actions was seen as more efficient use of resources in the field of legal metrology.

The ratio of non-complying measuring instruments and weighing instruments found in use during in service inspections varied between 0.1 - 0.6 % of all inspected instruments during the years 2010 - 2013. As measuring instruments in use are nearly always subject to legal control during their use, non-complying measuring or weighing instruments in use will be picked up and replaced by complying ones either during periodic verification or in-service inspection.

Sector 18: Electrical equipment under EMC

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

Regarding the number of product related accidents / user complaints and the number of inspections on this sector see Information on the assessment on page 6.

18.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	14	17	24	19
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	228	265	311	285
3.1	number of reactive inspections	n.a.	n.a.	n.a.	n.a.
3.2	number of self-initiated inspections	n.a.	n.a.	n.a.	n.a.
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	83	53	82	48
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	22	12	18	9
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	22	12	18	9
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Regarding sectors 13, 18, 20, 21 and 23 a guidance document was prepared for economic operators in 2013 and it is available on the following web-site:

http://www.tukes.fi/Tiedostot/englanti/electricity_elevators/brochure/sahkolaitteiden_valmistus_m_aahantuonti_ja_myynti_eng.pdf

An explanatory seminar concerning the guidance document was also arranged. Almost 300 representatives of economic operators participated.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	160 000	181 000	165 000	172 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0003	0.0004	0.0003	0.0003
8	Staff available to market surveillance authorities (full-time equivalent units)	1	1	1	1
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1	1	1	1

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

Compared to resources available for the job Tukes has succeeded well both in giving guidance to economic operators and carrying out market surveillance. However, compared to the size of the market of products under the scope of EMC Directive, market surveillance must be very selective. Projects intended to be carried out according to the national market surveillance plans have been carried out as planned.

Sector 19: Radio and telecom equipment under RTTE

Competent authority: Finnish Communications Regulatory Authority

19.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	216	247	127	69
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	0	0	0	0
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	18	27	19	8
4.2	physical checks of products	216	214	127	69
5	Number of inspections resulting in:				
5.1	finding of non-compliance	14	30	3	1
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	14	30	3	1
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Additional information:

Questions 3.1. and 3.2: The reasons for initiating inspections have not been registered. As a rule, the inspections are initiated by the Authority, in accordance with the annual market surveillance plan and the priorities therein.

Question 5.2: Statistics about the voluntary corrective measures is not available; if corrective measures have been taken promptly and voluntarily after the inspection, a formal finding of non-compliance has not been registered.

Question 6: Exchange of information with other Member States takes place frequently, but there are no formal invitations to collaborate. The statistics for Question 6 is therefore not available.

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

The national market surveillance authority for radio and telecom equipment under RTTE, Finnish Communications Regulatory Authority (FICORA), is focusing on the on-line guidance for the financial actors and consumers. FICORA has introduced a guide for the importers and distributors of radio and telecom equipment

(https://www.viestintavirasto.fi/attachments/Opas_radio-ja_telepaatelaitteiden_myyjille_ja_maahantuojille.pdf).

FICORA also maintains specific web sites for the microphone users and for the users of mobile communications services, with the objective of increasing the businesses' and consumers' knowledge of the national requirements and restrictions on the use of radio equipment. Such restrictions are related to the efficient use of radio spectrum and/or to the avoidance of harmful interference.

FICORA is participating in fairs and exhibitions with the aim of enhancing the businesses' and users' awareness of the rules and product related risks.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	453 000	514 000	386 000	173 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0009	0.001	0.0007	0.0003
8	Staff available to market surveillance authorities (full-time equivalent units)	4	4	3	1.5
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	3	3	2	1

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

In the period 2010-2013 national inspection campaigns in Sector 19 have been carried out in accordance with the published annual market surveillance plans. The market surveillance authority has also participated in the EU campaigns organised by R&TTE ADCO. In general, the level of compliance is at a relatively good level nationally; no accidents have been registered, and all reported cases of harmful product related interference have been addressed. The number of complaints from the competitors and from the consumers has been very low.

The number of significant national actors in the market is limited, but the on-line sale of radio and telecom equipment is steadily increasing. The web sites are often international and multi-lingual, and the distributors and other relevant financial actors are based in another Member State.

Sector 20: Electrical appliances and equipment under LVD

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

Regarding the number of product related accidents / user complaints and the number of inspections on this sector see Information on the assessment on page 6.

20.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	108	133	166	132
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	1825	2122	2180	1998
3.1	number of reactive inspections	n.a.	n.a.	n.a.	n.a.
3.2	number of self-initiated inspections	n.a.	n.a.	n.a.	n.a.
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:	0	0	0	0
4.1	tests performed in laboratories	681	790	715	728
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	183	251	256	299
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	183	251	256	299
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Regarding sectors 13, 18, 20, 21 and 23 a guidance document was prepared for economic operators in 2013 and it is available on the following web-site:

http://www.tukes.fi/Tiedostot/englanti/electricity_elevators/brochure/sahkolaitteiden_valmistus_m_aahantuonti_ja_myynti_eng.pdf

An explanatory seminar concerning the guidance document was also arranged. Almost 300 representatives of economic operators participated.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	1 400 000	1 447 000	1 156 000	1 202 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.003	0.003	0.002	0.002
8	Staff available to market surveillance authorities (full-time equivalent units)	8	8	7	7
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	8	8	7	7

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

The volume of surveillance has been on a high level and the focus of surveillance is based on risk assessment. Finland has issued more LVD article 9 Safe Guard Clause notifications than any other country during these years.

Sector 21: Electrical appliances under ROHS, WEEE and batteries

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

Regarding the number of product related accidents / user complaints and the number of inspections on this sector see Information on the assessment on page 6.

21.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	16	20	28	22
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	274	318	372	342
3.1	number of reactive inspections	n.a.	n.a.	n.a.	n.a.
3.2	number of self-initiated inspections	n.a.	n.a.	n.a.	n.a.
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	53	84	87	69
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	4	6	5	12
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	4	6	5	12
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Regarding sectors 13, 18, 20, 21 and 23 a guidance document was prepared for economic operators in 2013 and it is available on the following web-site:

http://www.tukes.fi/Tiedostot/englanti/electricity_elevators/brochure/sahkolaitteiden_valmistus_m_aahantuonti_ja_myynti_eng.pdf

An explanatory seminar concerning the guidance document was also arranged. Almost 300 representatives of economic operators participated.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	190 000	217 000	198 000	206 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0004	0.0004	0.0004	0.0004
8	Staff available to market surveillance authorities (full-time equivalent units)	1.2	1.2	1.2	1.2
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1.2	1.2	1.2	1.2

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

Compared to resources available for the job the Finnish Safety and Chemicals Agency Tukes has succeeded well both in giving guidance to economic operators and carrying out market surveillance. However, compared to the size of the market of products under the scope of RoHS Directive, market surveillance must be very selective.

Projects intended to be carried out according to the national market surveillance plans have been carried out as planned.

Sector 22: Chemicals (Detergents, paints, persistent organic pollutants)

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

22.A. Review of market surveillance activities in the sector

POP = persistent organic pollutant, deter. = detergents, VOC = volatile organic carbons in paints

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	1 (deter.)	0	1 (deter.)
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	1 (deter.)
3.	Number of inspections (total number)	0	8 4 (POP) 4 (deter.)	16 3 (POP) 13 (deter.)	7 1 (POP) 4 (deter.) 2 (VOC)
3.1	number of reactive inspections	0	4 (deter.)	3 (deter.)	5 4 (deter.) 1 (VOC)
3.2	number of self-initiated inspections	0	0	10 (deter.)	1 (VOC)
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	4 (POP)	3 (POP)	1 (POP)
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	4 2 (POP) 2 (deter.)	12 (deter.)	4 3 (deter.) 1 (VOC)
5.2	corrective actions taken by economic operators ("voluntary measures")		4 2 (POP) 2 (deter.)	12 (deter.)	4 3 (deter.) 1 (VOC)
5.3	restrictive measures taken by market surveillance authorities .	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member	0	0	0	0

	States were invited to collaborate				
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Information on communication activities carried out in the 2010-2013 period

The main tool for outreach on persistent organic pollutants (POP) is the National Implementation Plan for the Stockholm Convention and the preparation process for its update in 2012. In addition there has been awareness-raising on POPs in seminars to NGOs, civil organizations, authorities and business as well as industrial and business organizations. Authority's up to date web pages for stakeholders and consumers:

www.ymparisto.fi/POP

For detergents information is provided in connection with lectures and other awareness-raising of chemicals legislation in general (including REACH and CLP Regulations). In 2012 the market surveillance authorities participated in CLEENs EuroDeter -project.

For volatile organic carbons in paints information is mainly provided by targeted letters to companies known to have duties in this legislation.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	100 000	104 000	109 000	115 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0002	0.0002	0.0002	0.0002
8	Staff available to market surveillance authorities (full-time equivalent units)	1	1	1	1
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.5	0.5	0.5	0.5

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

This report only covers persistent organic pollutants, detergents and volatile organic carbons in paints. Market surveillance of these is however not separated from other chemical market surveillance but it is done in connection with other chemicals control - REACH and CLP and biocides - (POP and detergents), or in connection with environmental protection control (paints). Municipalities conducting the chemical market surveillance had also a lot of other legislations to enforce, like Tobacco Directive and Drinking Water Directive. In Finland a change in responsibilities of the enforcement authorities has been undertaken in September 2013, when chemical market surveillance related duties of the municipalities and regional authorities were transferred to a central market surveillance authority, The Safety and Chemicals Agency, Tukes. The change concerned mainly detergents and other chemicals legislation.

There have been no dedicated inspectors for POP, detergents or paints inspections. These inspections have been done among other activities of the enforcement authorities of chemicals, fireworks and partly also environmental protection inspectors in central, regional and local level. The reporting will probably be easier and possible to make in a more detailed way in the next reporting period as the responsibility is mainly centralised to Tukes.

For Volatile organic carbons in paints and varnishes etc. the whole sale of products in Finland covered by the legislation has been around 32 000 tons in 2013 and was approximately the same in 2011-2012. The production volume in Finland was around 45 000 tons per year.

Sector 23: Ecodesign and energy labelling

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

Regarding the number of product related accidents / user complaints and the number of inspections on this sector see Information on the assessment on page 6.

23.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	27	33	47	57
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	456	531	623	856
3.1	number of reactive inspections	n.a.	n.a.	n.a.	n.a.
3.2	number of self-initiated inspections	n.a.	n.a.	n.a.	n.a.
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	6	13	6	14
4.2	physical checks of products	10 000	10 000	10 000	10 000
5	Number of inspections resulting in:				
5.1	finding of non-compliance	2	0	1	1
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	2	0	1	1
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

The main focus in the field of eco-design has been in the guidance of economic operators as the legislation is quite new. However, the share of market surveillance in relation to resources available is going to grow.

Regarding sectors 13, 18, 20, 21 and 23 a guidance document was prepared for economic operators in 2013 and it is available on the following web-site:

http://www.tukes.fi/Tiedostot/englanti/electricity_elevators/brochure/sahkolaitteiden_valmistus_mahantuntu_ja_myynti_eng.pdf

An explanatory seminar concerning the guidance document was also arranged. Almost 300 representatives of economic operators participated.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	-	362 000	330 000	515 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)		0.0007	0.0007	0.0009
8	Staff available to market surveillance authorities (full-time equivalent units)	2	2	2	3
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	2	2	2	3

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

Compared to resources available for the job Tukes has succeeded well both in giving guidance to economic operators and carrying out market surveillance. However, compared to the size of the market of products under the scope of Eco-Design Directive and Energy labelling Directive, market surveillance has to be very selective.

Field inspections on energy labelling have been carried out simultaneously with the market surveillance of Sectors 13, 18, 20 and 21. This has made it possible to check a large number of products. Projects intended to be carried out according to the national market surveillance plans have been carried out as planned.

Sector 24: Efficiency requirements for hot-boilers fired with liquid or gaseous fuels

Competent authority: Finnish Safety and Chemicals Agency (Tukes)

24.A. Review of market surveillance activities in the sector

See 24.B.

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

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

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

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Information on resources

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

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

The information on the market surveillance of efficiency requirements for hot-boilers is included in information on market surveillance of Eco-Design and Energy labeling (see sector 23). Also the resources for the market surveillance of efficiency requirements for hot-boilers are allocated via sector 23.

Until 2007 Tukes had done surveillance of the efficiency requirements for hot-boilers by visiting the manufacturers and importers every other year. The surveillance was aimed mainly to oil boilers with maximum power of 400 kW and it was based on the National Building code of Finland section D7: Efficiency requirements for boilers. Enforcement of the Council Directive 92/42/EEC on efficiency requirements for hot-water boilers has been done in Finland with that regulation.

At the surveillance visits it was clarified that the manufacturers and importers had certified the conformity of different types of boilers correctly. Usually they had used Module B: EC type-examination and Module C: Conformity to type. In that situation a notified body had made examines to verify the conformity of boilers manufactured. Records of those examinations were checked during market surveillance visits.

In 2008 the market surveillance of the efficiency requirements for hot-boilers was changed from active surveillance into reactive surveillance because the companies did not develop new types of oil boilers anymore. Expensive testing costs of the efficiency and increased development of solid fuel boilers may have been partially the reasons for the companies to do so. After that, there have not been any claims from the market which would have needed reactions from the authority.

Sector 25: Recreational craft

Competent authority: Finnish Transport Safety Agency (Trafí)

25.A. Review of market surveillance activities in the sector

The market surveillance of this sector is carried out in the premises of manufactures, importers and retailers and during the boat shows. The surveillance is carried out by own resources of Finnish Transport Safety Agency Trafí and it has been risk based from the beginning of 2012. The market surveillance experts have developed a three phase system for surveillance, giving every economical operator in this sector a risk level.

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

		2010	2011	2012	2013
1.	Number of product related accidents	1525	1549	1321	1569
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	61	95	114	115
3.1	number of reactive inspections	3	10	8	5
3.2	number of self-initiated inspections	38	40	43	55
3.3	number of inspections prompted by the customs	20	45	63	55
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products	1638	1440	1369	883
5	Number of inspections resulting in:				
5.1	finding of non-compliance	38	40	87	105
5.2	corrective actions taken by economic operators ("voluntary measures")	37	40	87	105
5.3	restrictive measures taken by market surveillance authorities .	1	0	0	0
5.4	application of sanctions/penalties	1	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	3

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

Finnish Transport Safety Agency (Trafí) communicates about the requirements of recreational craft in their own web pages (www.trafi.fi). The pages contain very detailed information about the Recreational craft directive and how to interpret it. Trafí has also organised directive related seminars for stakeholders of boating industry.

Consumer advice is given by e-mail, phone and web pages. The Agency has an e-mail address dedicated only for recreational boating issues. This address is well known among boaters and the industry. Some advice for industry is also given during the inspections.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	450 000	350 000	397 000	350 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0009	0.0007	0.0008	0.0006
8	Staff available to market surveillance authorities (full-time equivalent units)	6	4	5	4
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	6	4	5	4

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

Market surveillance actions are clearly planned and instructed. Surveillance is both reactive and proactive. Operation is professional and systematic. The network within the sector is extensive, both nationally and internationally. The co-operation with customs authority is active and functioning. Surveillance methods are under constant development by the surveillance experts.

The surveillance is carried out based on risk assessment.

Resources for effective surveillance have been sufficient.

Sector 26: Marine equipment

Competent authority: Finnish Transport Safety Agency (Trafi)

Market surveillance of this sector is mainly carried out by a contracting party.

26.A. Review of market surveillance activities in the sector

Market surveillance of this sector is mainly carried out during ship inspections. The surveillance is focused only to the existence of conformity mark (wheel mark) and the certificates. Products placed on the free market are not surveyed.

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

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

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

Data regarding the market surveillance of this sector has not been collected. The inspection procedures should be redeveloped. There is only a weak co-operation between Member States within COSS on this sector. Lack of ADCO group in this sector complicates the co-operation between Member States.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	0	0	0	0
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	-	-	-	-
8	Staff available to market surveillance authorities (full-time equivalent units)	0.2	0.2	0.2	0.2
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0	0	0	0

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

The inspection procedures should be redeveloped. There is no market surveillance co-operation between Member States within this sector. Lack of ADCO groups in this sector complicates the co-operation between Member States. Only Tyres labelling has an ADCO group which is on a starting stage at the moment.

Sector 27: Motor vehicles and tires

Competent authority: Finnish Transport Safety Agency (Trafi)

27.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related user complaints	28	17	13	12
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	395	315	366	375
3.1	number of reactive inspections	176	140	159	150
3.2	number of self-initiated inspections	219	175	207	225
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	1	1
4.2	physical checks of products	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance	0	0	0	0
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

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Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	100 000	100 000	100 000	120 000
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.0002	0.0002	0.0002	0.0002
8	Staff available to market surveillance authorities (full-time equivalent units)	0.25	0.25	0.25	1
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.5	0.5	0.5	0.5

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

The inspection procedures should be redeveloped. Legislation is fragmented in this sector. The experience of sanctioning is not sufficient. The resources of the sector are underpowered compared to the variety of products.

There is no market surveillance co-operation between Member States within this sector. Lack of ADCO groups in this sector complicates the co-operation between Member States. Only Tyres labelling has an ADCO group which is on a starting stage at the moment.

Sector 29: Fertilisers

Competent authority: Finnish Food Safety Authority (Evira)

In the assessment of sector 29 (fertilizers) also the inorganic and organic fertilizers with national regulation have been taken into account because separating them from the harmonized sector would be practically impossible.

29.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	260	314	300	260
3.1	number of reactive inspections	0	0	0	0
3.2	number of self-initiated inspections	260	314	300	260
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories ²	260	314	300	260
4.2	physical checks of products ³	513	376	691	439
5	Number of inspections resulting in:				
5.1	finding of non-compliance	513	376	691	439
5.2	corrective actions taken by economic operators ("voluntary measures")	0	0	0	0
5.3	restrictive measures taken by market surveillance authorities .	513	376	691	439
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

² In market surveillance for all fertiliser products

³ Includes also surveillance of production based on national legislation.

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

The Finnish Food Safety Agency (Evira) trains authorized inspectors and inspectors of Centres for Economic Development, Transport and the Environment in sampling, executing inspections and documenting and provides guidance on current legislation and its application. Trainings for economic operators (manufacturers, importers and other operators in the internal market) tend to be organized as part of training events of economic operators' associations. Evira does not organize training for consumers.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	-	78 091	71 523	57 830
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	-	0.0002	0.0001	0.0001
8	Staff available to market surveillance authorities (full-time equivalent units)	-	1.31	1.18	0.93
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	-	0	0	0

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

The number of economic operators who place various fertiliser products on the market has constantly increased in Finland. In the surveillance registry operated by Finnish Food Safety Agency (Evira) there are currently 620 economic operators (546 in 2012 and 373 in 2008).

Most of the economic operators on this sector produce soil conditioners and substrates which are marketed mainly nationally. Self monitoring has been mandatory for the economic operators on this sector since 2007. In addition economic operators using the most problematic raw materials need approval for the facilities.

Evira must annually draw up a surveillance plan (according to Fertiliser product act, 539/2006 in the Finnish statute book). In the surveillance plan Evira must determine the minimum level of inspections as well as types of inspections and frequency of inspections. Also the grounds of surveillance based on risk assessment and of evaluation of fulfilling the surveillance plan. Decree of Ministry of Agriculture and Forestry (Finnish statute book 11/2012) provides for acknowledging the results of surveillance carried out the previous year and timing the annual inspections for production season.

Finnish Ministry of Agriculture and Forestry considers the surveillance of production and market surveillance of fertiliser products done by Evira (in 2010-2013) to be sufficient.

Sector 30: Other consumer products under GPSD

Competent authority:

- Finnish Safety and Chemicals Agency (Tukes)
- Finnish Customs

30.A. Review of market surveillance activities in the sector

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

		2010	2011	2012	2013
1.	Number of product related accidents / user complaints	53	68	82	71
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections (total number)	80	97	116	103
3.1	number of reactive inspections	66	77	99	82
3.2	number of self-initiated inspections	14	20	17	21
3.3	number of inspections prompted by the customs	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	856 39 (Tukes) 817 (Customs)	737 51 (Tukes) 686 (Customs)	895 28 (Tukes) 867 (Customs)	818 28 (Tukes) 790 (Customs)
4.2	physical checks of products	21 2 (Tukes) 19 (Customs)	52 7 (Tukes) 45 (Customs)	86 1 (Tukes) 85 (Customs)	24 2 (Tukes) 22 (Customs)
5	Number of inspections resulting in:				
5.1	finding of non-compliance	149 25 (Tukes) 124 (Customs)	165 36 (Tukes) 129 (Customs)	179 26 (Tukes) 153 (Customs)	142 26 (Tukes) 116 (Customs)
5.2	corrective actions taken by economic operators ("voluntary measures")	25 (Tukes)	35 (Tukes)	25 (Tukes)	18 (Tukes)
5.3	restrictive measures taken by market surveillance authorities .	93 (Customs)	84 1 (Tukes) 83	110 1 (Tukes) 109	85 8 (Tukes) 77

			(Customs)	(Customs)	(Customs)
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

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

Tukes gives press releases and publishes the results of market surveillance activities and other remarks it has made while carrying out the market surveillance. During 2010-2013, in total 40 press releases (6-12 each year) were published based on the GPSD.

Tukes also informs the consumers, businesses and other stakeholders about changes in legislation or safety requirements. When necessary, training and lectures are provided for associations, schools and other stakeholders regarding the GPSD.

Tukes also gives guidance to consumers, businesses, and other stakeholders by answering their questions via phone and email. Tukes is also active in social media and uses its channels to spread the information on the dangerous products, risks, project results and other issues. Tukes constantly looks for new ways to inform the public and the stakeholders about safety issues.

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (€)	740 000 420 000 (Tukes) 360 000 (Customs)	740 000 420 000 (Tukes) 360 000 (Customs)	740 000 420 000 (Tukes) 360 000 (Customs)	740 000 420 000 (Tukes) 360 000 (Customs)
7.2	Budget available to market surveillance authorities in relative terms (%age of total national budget)	0.001	0.001	0.001	0.001
8	Staff available to market surveillance authorities (full-time equivalent units)	11.5 5 (Tukes) 6.5 (Customs)	11.5 5 (Tukes) 6.5 (Customs)	11.5 5 (Tukes) 6.5 (Customs)	11.5 5 (Tukes) 6.5 (Customs)
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	9.5 3 (Tukes) 6.5 (Customs)	9.5 3 (Tukes) 6.5 (Customs)	9.5 3 (Tukes) 6.5 (Customs)	9.5 3 (Tukes) 6.5 (Customs)

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

National market surveillance programs have been carried out as planned. Programs include a few current projects (topics vary yearly). Despite the relative small resources and large scope of the GPSD Tukes has been effective in its surveillance and approximately 70 recalls and 40 withdrawals have been done during 2010-2013.

Annex 1: Reference list of sectors

Product sectors	Relevant legislation	Included in this report? (Y/N)
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	Y
2. Cosmetics	Regulation 1223/2009	Y
3. Toys	Directive 2009/48/EC	Y
4. Personal protective equipment	Directive 89/686/EEC	Y
5. Construction products	Regulation 305/2011	Y
6. Aerosol dispensers,	Directive 75/324/EEC,	Y
7. Simple pressure vessels and Pressure equipment	Directives 2009/105/EC and 97/23/EC	Y
8. Transportable pressure equipment	Directive 2010/35/EU	Y
9. Machinery	Directive 2006/42/EC	Y
10. Lifts	Directive 1995/16/EC	Y
11. Cableways	Directive 2000/9/CE	Y
12. Noise emissions for outdoor equipment	Directive 2000/14/EC	Y
13. Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres	Directive 1994/9/EC	Y
14. Pyrotechnics	Directive 2007/23/EC	Y
15. Explosives for civil uses	Directive 93/15/EEC	Y
16. Appliances burning gaseous fuels	Directive 2009/142/EC	Y
17. Measuring instruments, Non-automatic weighing instruments and Pre-packaged products	Directives 2004/22/EC, 2009/23/EC and 2007/45/EC	Y
18. Electrical equipment under EMC	Directive 2004/108/EC	Y
19. Radio and telecom equipment under RTTE	Directive 1999/5/EC	Y
20. Electrical appliances and equipment under LVD	Directive 2006/95/EC	Y
21. Electrical and electronic equipment under RoHS, WEEE and batteries	Directives 2011/65/EU, 2002/96/EC and 2006/66/EC	Y
22. Chemicals (Detergents, Paints, Persistent organic pollutants)	Regulation 648/2004 Directive 2004/42/EC Regulation 850/2004	Y
23. Ecodesign and Energy labelling	Directives 2009/125/EC and 2010/30/EU	Y
24. Efficiency requirements for hot-boilers fired with liquid or gaseous fuels	Directive 1992/42/EEC	Y
25. Recreational craft	Directive 1994/25/EC	Y
26. Marine equipment	Directive 96/98/EC	Y
27. Motor vehicles and tyres	Directives 2002/24/EC and 2007/46/EC, and Regulation (EC) No 1222/2009	Y
28. Non-road mobile machinery	Directive 97/68/EC	N
29. Fertilisers	Regulation 2003/2003	Y
30. Other consumer products under GPSD	Directive 2001/95/EC	Y

