

# Market Surveillance Campaign 2023

**Aggregate Products within the scope of EN 12620, EN 13043, EN13139 and EN 13242 series must be CE Marked,**



**If you are an Economic Operator:**

**E.g.**

- **Manufacturer;**
- **Importer; or**
- **Retailer / Distributor**

**of aggregates products you should be aware of your obligations under the rules for CE Marking.**



**The National Building Control and Market Surveillance Office (NBCMSO) is the approved office for market surveillance in relation to construction products. Over the coming weeks, the NBCMSO will be carrying out unannounced inspections of quarries to check the CE Marking of aggregate products including those within the scope of EN 12620, EN 13043, EN13139 and EN 13242.**

**The objective of the Market Surveillance Office is to ensure that only products compliant with the Construction Products Regulation (EU) No 305/2011, are placed on the market.**

**If you receive a visit, the Market Surveillance Office may check that you have applied the CE Marking correctly, that you have all the required documentation in place (see overleaf) and may take a sample away for testing. Anybody obstructing, impeding or providing false information to the Authorised Officer may be committing an offense under the EU CPR.**

**The Market Surveillance Campaign 2023 is co-ordinated by Dublin City Council - National Building Control Office (DCC-NBCO) .**



# What happens if I receive a visit from the Market Surveillance Authority?

## 1. GENERAL

If you receive a visit, from an Authorised Officer, in exercise of the powers conferred on the Authorised Officer by Regulation 12(3) of the European Union (Construction Products) Regulations 2013, the information outlined in Table 1 below can be requested for inspection, having regard to the responsibility you have under the Construction Products Regulation No. (EU) 305/2011.

**Table 1: Information sought (but not limited to) relevant to the responsibility of each Economic Operator**

No.	Description	Manufacturer	Importer	Distributor/ Retailer
1.	A copy / photograph of the CE mark	Y	Y	Y
2.	A Valid Declaration of Performance (DoP)	Y	Y	Y
3.	The technical documentation to support that the product complies with the requirements of EN 12620, EN 13043, EN 13242 and EN 13139.	Y	Y	Y
4.	The test reports and details in respect of type testing of the product.	Y	-	-
5.	Details of the notified factory production control certification body (AVCP System 2+).	Y	-	-
6.	The means by which products within the scope of EN 12620, EN 13043, EN13139 and EN 13242 are placed, or made available, on the market can be identified and traced throughout the supply chain.	Y	Y	Y

## 2. TIME FOR COMPLIANCE

The information sought should be readily available onsite. CE Marking of construction products is mandatory across the EU since 1 July 2013.

## 3. TAKE NOTICE

In the event that the required documentation is not available at time of inspection or on request for information, you may make representations in writing to the Market Surveillance Authority within 14 days. The Market Surveillance Authority may, having considered any such representations, amend the terms of this request for information or confirm or revoke the request for information.

## 4. TAKE FURTHER NOTICE

If you, the Economic Operator: -

- a) do not comply with the terms of a request for information within the aforementioned period or
- b) the documentation submitted/ made available on the date of visit, is not in compliance with the Construction Products Regulation,

the Market Surveillance Authority may take such steps as it considers reasonable and necessary to secure compliance with the request for information under the Construction Products Regulation, up to and including prosecution through the Courts.

## 5. WARNING

A person guilty of an offence under the European Union (Construction Products) Regulations 2013 is liable: -

- a) on summary conviction to a fine up to €5,000 or to a term of imprisonment up to 3 months or to both; or
- b) on conviction on indictment to a fine up to €500,000 or to a term of imprisonment up to 12 months or both.

## 6. ADDITIONAL INFORMATION

- Regulation No (EU) 305/2011 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:088:0005:0043:EN:PDF>
- European Union (Construction Products) Regulations 2013 <http://www.irishstatutebook.ie/2013/en/si/0225.html>
- [CE Marking of Construction Products—Step by Step](#)
- EN 12620:2002+A1:2008 Aggregates for concrete, EN 13043:2002/AC:2004 Aggregates for bituminous mixtures and surface treatments for roads, airfields and other trafficked areas or EN 13242:2002+A1:2007 Aggregates for unbound and hydraulically bound materials for use in civil engineering work and road construction
- SR 16:2016 – Guidance on the use of I.S. EN 12620:2002 - Aggregates for Concrete, SR 17:2004 Guidance on the