

# NATIONAL MARKET SURVEILLANCE STRATEGY FOR CONSTRUCTION PRODUCTS: IRELAND 2024



Prepared by the National Building Control  
& Market Surveillance Office

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**Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).**

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

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## 1.0 Organisational Responsibility

### 1.1 Applicable Sector

Construction sector under Regulation [\(EU\) No 305/2011](#).

#### 1.1.1 Responsible Authority & Contact Details

- ❖ Dublin City Council - National Building Control & Market Surveillance Office (DCC-NBCMSO)
- ❖ 31 Local Building Control & Market Surveillance Authorities with [Authorised Officers](#)
- ❖ Contact: [Dublin City Council - National Building Control and Market Surveillance Office](#) – [support@nbco.gov.ie](mailto:support@nbco.gov.ie) Web address: <https://nbco.localgov.ie/>
- ❖ Point of contact: Mairead Phelan, Dublin City Council - National Building Control & Market Surveillance Office, 01 22 27 947/794

## 2.0 Relevant Background Information

### 2.1 Overview

[Dublin City Council - National Building Control and Market Surveillance Office \(DCC-NBCMSO\)](#), provides oversight, support and direction for the development, standardisation and implementation of Building Control ([Building Control Acts 1990-2014](#)) and Market Surveillance of Construction Products ([EU Construction Products Regulations 2013 \(S.I. No. 225 of 2013\)](#)) (CPR) in the 31 Building Control & Market Surveillance Authorities. The 31 Building Control Authorities are designated Market Surveillance Authorities under the Regulations.

DCC-NBCMSO/31 Building Control & Market Surveillance Authorities do not have the technical resources in-house to test construction products which may be non-compliant with the requirements of the Regulation [\(EU\) No. 305/2011](#). Typically, the testing and evaluation of construction products, where considered necessary, will be outsourced to accredited bodies providing such services. Market Surveillance Authorities carry out active liaison, advice, guidance and consultation and enforcement with the principal economic operators and stakeholders involved in the construction sector.

Geological Survey Ireland ([GSI](#)) and Transport Infrastructure Ireland ([TII](#)) are prescribed Competent National Authorities who provide specialist support with development of a Market Surveillance programme within the aggregates and road construction and road fixtures sectors i.e., Area Codes 24, 23, 12. Regulatory activity is undertaken through reactive and proactive procedures to ensure compliance of products under the Construction Products Regulation (CPR). DCC-NBCMSO's aim is to build capability through an awareness, education, and training programme; and enhance the sharing of data and intelligence to support the various





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All enforcement activity is performed within existing budgets. However, where a construction product is sent for testing by DCC-NBCMSO/31-Building Control & Market Surveillance Authorities and that product is found to be non-compliant with the requirements of Regulation ([EU No. 305/2011](#)), the regulations provide that DCC-NBCMSO/31-Building Control & Market Surveillance Authorities may seek to recover the costs of that test from the relevant economic operator as simple contract debt from any court of competent jurisdiction. Similarly, where an economic operator has been convicted on indictment for an offence under the regulatory regime, DCC-NBCMSO/31-Building Control & Market Surveillance Authorities may seek a forfeiture order to seize and destroy the construction products concerned; the costs associated with the destruction or disposal of the products may be recovered by the Building Control Authority from the relevant economic operator as simple contract debt from any court of competent jurisdiction.

## 2.4 Market Surveillance Programme: Report from Activities Conducted

Activities take the form of proactive and reactive market surveillance of construction products for formal and technical compliance with the CPR.

- Proactive includes planned market surveillance activity including planned and routine inspections and surveys of products - such inspections may include announced and unannounced inspections.
- Reactive includes typically, market surveillance activity will be triggered in response to information received from complaints (e.g., from the public, public bodies, contractors, designers, customs, police, or other market surveillance authorities etc.).

Follow up market surveillance inspections and investigations may be undertaken where appropriate. Every complaint/query received by DCC-NBCMSO/31-Building Control & Market Surveillance Authorities is taken seriously, risk-assessed, categorised with systemic issues identified and corrected. While most queries are easily resolved, some may require significant time and resources to bring about compliance. Resolution takes the form of formal and/or technical CPR compliance, inspections, sampling, and testing.

### 2.4.1 2021 Report of Market Surveillance Programme Activities Conducted

In 2021, 48 reactive market surveillance inspections, triggered in response to information received from complaints were carried out. These notifications were supplied by Notified Bodies, based on the withdrawal of 8 Certificates of Factory Production Control (FPC), relating to [EN1090](#), [EN12620](#), [EN 13242](#), [EN 771-3](#) & [EN 13225](#); 22 relating to [EN1090](#), the withdrawal of the United Kingdom (UK) from the European Union, and the deregistration of a UK Notified Body; 3 inspections relating to [EN 3218](#); and 1 each relating to [EN 14428](#), and [EN 14351](#). Assessments were carried out on 12 other construction product related complaints which included 3 online sales complaints. Voluntary corrective actions were taken by the relevant economic operators, with the outcome then informing the Market Surveillance of Construction Products Strategy - Ireland 2022.



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The 2021 proactive market surveillance inspection programme concentrated on construction products generated by economic operators from quarries and pits, specifically products from Area Code 24 (Aggregates) of the CPR focusing on:

- a. Aggregates for Concrete ([EN 12620](#))
- b. Aggregates for Bituminous Mixtures ([EN13043](#))
- c. Aggregates for Unbound and Hydraulically Bound Materials ([EN 13242](#))

In addition, the Minister for Housing, Local Government and Heritage requested a Market Surveillance Audit of all quarries in Donegal, to be carried out by NBCMSO in partnership with Donegal County Council and Geological Survey Ireland, with a specific focus on Area Code 24 (Aggregates) and Area Code 17 (Masonry related products, Masonry Units, Mortars and Ancillaries), in particular:

- d. Aggregates for Mortar ([EN 13139](#))
- e. Masonry Units (Dense and lightweight Aggregates) ([EN 771-3](#))

A total of 107 inspections/sampling was carried out in quarries and pits. Each of these economic operators received an information note with an “Article 12(3) of the European Union (Construction Products) Regulations 2013 Request for Information” relating to the construction products they are placing on the market. 33 cases were uploaded to the [ICSMS \(Information and Communication System for Market Surveillance\)](#). There were 25 findings of non-compliance resulting in 20 voluntary corrective actions being taken by the relevant economic operator and 5 restrictive measures being taken by the Market Surveillance Authority.

#### 2.4.2 2022 Report of Market Surveillance Programme Activities Conducted

In 2022, 4 reactive market surveillance inspections, triggered in response to information received from complaints were carried out. Voluntary corrective actions were taken by the relevant economic operators, with the outcome informing the [Market Surveillance of Construction Products Strategy - Ireland 2023](#).

The 2022 proactive market surveillance inspection programme continued to concentrate on construction products generated by economic operators from quarries and pits, specifically products from Area Code 24 (Aggregates) of the CPR focusing:

- a. Aggregates for Concrete ([EN 12620](#))
- b. Aggregates for Bituminous Mixtures ([EN13043](#))
- c. Aggregates for Unbound and Hydraulically Bound Materials ([EN 13242](#))



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In addition, NBCMSO in partnership with Donegal County Council and Geological Survey Ireland continued the Market Surveillance Audit of all quarries in Donegal as requested in 2021 from the Minister for Housing, Local Government and Heritage and the [Report of the Market Surveillance of Construction Products produced from County Donegal Quarries 2021/2022](#) was published. This audit had a specific focus on Area Code 24 (Aggregates) and Area Code 17 (Masonry related products, Masonry Units, Mortars and Ancillaries), in particular:

- d. Aggregates for Mortar ([EN 13139](#))
- e. Masonry Units (Dense and lightweight aggregates) ([EN 771-3](#))

A total of 70 inspections/sampling was carried out in quarries and pits. Each of these economic operators received an information note with an “Article 12(3) of the European Union (Construction Products) Regulations 2013 Request for Information” relating to the construction products they are placing on the market. 26 cases were uploaded to the [ICSMS \(Information and Communication System for Market Surveillance\)](#). There was 1 finding of non-compliance resulting in 1 restrictive measure being taken by the Market Surveillance Authority.

#### 2.4.3 2023 Report of Market Surveillance Programme Activities Conducted

In 2023, 49 reactive market surveillance inspections, in response to information received from complaints were carried out. Voluntary corrective actions were taken by the relevant economic operators, with the outcome informing the Market Surveillance Strategy – Ireland 2024.

The 2023 proactive market surveillance inspection programme continued to concentrate on construction products generated by economic operators from quarries and pits, specifically products from Area Code 24 (Aggregates) of the CPR focusing:

- a. Aggregates for Concrete ([EN 12620](#))
- b. Aggregates for Bituminous Mixtures ([EN13043](#))
- c. Aggregates for Mortar ([EN 13139](#))
- d. Aggregates for Unbound and Hydraulically Bound Materials ([EN 13242](#))

The following construction products were added to the 2023 Market Surveillance program as a result of the withdrawal of the United Kingdom from the European Union, the deregistration issues relating to Notified Bodies in the UK, the lack of testing facilities in Ireland, and the extent of which these products are used throughout masonry construction.

- A. Structural Steel & Aluminium ([EN1090](#))
- B. Prefabricated Lintels ([EN 845-2](#))
- C. Wall Ties, Tension Straps, Hangers and Brackets ([EN 845-1](#))





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A total of 45 inspections/sampling was carried out in quarries and pits. Each of these economic operators received an information note with an “Article 12(3) of the European Union (Construction Products) Regulations 2013 Request for Information” relating to the construction products they are placing on the market. 40 cases were uploaded to the [ICSMS \(Information and Communication System for Market Surveillance\)](#).

### 3.0 Activities & Initiatives

Prior to 2020 the market surveillance function operated mainly on a reactive basis by the Market Surveillance Authorities. With the implementation of the DCC-NBCMSO, the policy is for active market surveillance which typically involves a combination of proactive and reactive activities over the course of a defined period (i.e., annually). DCC-NBCMSO/31-Building Control & Market Surveillance Authorities have powers to obtain access to premises to examine, test or inspect products, request documentation regarding the performance of a product, take samples of the product, request the Minister for Housing, Local Government and Heritage to prohibit or restrict the use of a product and prosecute offences. Any construction products identified as non-compliant will be subject to the specific provisions of the [EU \(Construction Products\) Regulations 2013](#) as amended by [EU \(Construction Products\) \(Amendment\) Regulations 2023](#) and the broader overarching requirements of [Chapter III of Regulation \(EU\) No. 765/2008](#) and [Chapter VIII of Regulation \(EU\) No. 305/2011](#) as amended by [Regulation \(EU\) 2019/1020](#).

A pragmatic approach to monitoring and surveillance activities will be taken and it is intended to combine these activities with existing inspection and survey programmes where possible with respect to monitoring and surveillance activities.

#### 3.1 Market Screening Exercise

The 2024 DCC-NBCMSO/31-Building Control & Market Surveillance Authorities’ priority is to continue with market screening exercises in conjunction with industry to identify construction products supply chains and market share and conduct market research among end users, i.e., conduct an intelligence led overview of:

- ❖ the overall size of the national market, i.e., the amount and type of products supplied on the market
- ❖ the names and market share of the Economic Operators supplying given construction products in Product Areas 1-35.
- ❖ the type of Economic Operator (e.g., manufacturers, importers, distributors) and main channels of sales (e.g., online, or retail premises).

This will also require information sharing with Government Departments/Agencies/industry, Enterprise Boards, Rates, Procurement and Planning Authorities.



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### 3.2 Approach for Setting Priorities

The approach for setting priorities includes the following factors:

- ❖ allocation of available resources including time, personnel, and budgets.
- ❖ selection of target manufacturers, importers, distributors, and retailers for inspection / investigation.
- ❖ selection of type of inspection / investigation; and
- ❖ selecting frequency and target dates for inspection.

### 3.3 Risk Evaluation

Risk factors may include:

- ❖ end-use of the construction product, i.e., the safety implications of products while in use.
- ❖ extent of use of the construction product.
- ❖ construction products known to contain certain materials not in compliance with Regulation (EU) No. 305/2011 / European Union (Construction Products) Regulations 2013 / relevant harmonised standard(s).
- ❖ compliance record of relevant manufacturers, importers, distributors, and retailers.
- ❖ results of previous inspections / investigations (where relevant); frequency of previous inspections / investigations or date of last inspection / investigation (where relevant).
- ❖ requirement for the involvement of other market surveillance authorities and agencies as appropriate.
- ❖ cost benefit factors of inspections / investigations; and
- ❖ resource capacity of DCC-NBCO/ building control authorities (time, human and budget resources).

### 3.4 Measures / Tools for Alerting Users of Hazardous Products

In addition to requiring manufacturers and distributors to alert end users, the standard practice is to issue an alert to registered users of the Building Control Management System, which includes those involved in building works.

### 3.5 Approach to Penalties

Generally, DCC-NBCMSO/31-Building Control & Market Surveillance Authorities will seek to find a satisfactory solution that does not require penalties – i.e., through corrective actions. This may not always be sufficient, and a range of penalties are available. The offences and penalties are defined within [S.I. No. 225 of 2013](#). Depending on the offence a person, on conviction, can be subject to fines and/or imprisonment.



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### 3.6 2024 Market Surveillance Proactive Activities

It is proposed to continue with and expand on the 2023 proactive market surveillance inspection programme concentrated on construction products manufactured by economic operators under the following categories:

- Aggregates for Concrete ([EN 12620](#));
- Aggregates for Bituminous Mixtures ([EN13043](#))
- Aggregates for Mortar ([EN 13139](#))
- Aggregates for Unbound and Hydraulically Bound Materials ([EN 13242](#))
- Masonry Units (Dense and lightweight aggregates) ([EN 771-3](#))
- Structural Steel & Aluminium ([EN1090](#))
- Prefabricated Lintels ([EN 845-2](#))
- Wall Ties, Tension Straps, Hangers and Brackets ([EN 845-1](#))

The National Market Surveillance Office will continue to collaborate with the fellow prescribed Competent National Authorities [GSI](#) and [TII](#) for specialist support in relation to programme implementation with respect to aggregate construction products.

### 3.7 2024 Market Surveillance Reactive Activities

In 2024, reactive market surveillance inspections/enforcement will continue to be carried out, triggered on foot of acting on information received from complaints, or in relation to a specific suspected offence or through [RAPEX](#) or [ICSMS](#), and notifications from other authorities.

## 4.0 Monitoring, Evaluation & Indicators

DCC-NBCMSO/31-Building Control & Market Surveillance Authorities will carry out proactive and reactive market surveillance as set out in the 2023 programme. They may choose to carry out an extensive compliance evaluation involving administrative verification and sampling, technical verification including testing/inspection by (internal or external) laboratory/inspection bodies (where no conflicts of interest exist). Alternatively, they may conduct a limited compliance evaluation involving administrative verification and/or sampling and internal testing (visual) of easily feasible requirements for which no or simple equipment is needed.



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## 4.1 Products Presenting a Serious Risk

DCC-NBCMSO/31-Building Control & Market Surveillance Authorities will put in place procedures to ensure that products presenting a serious risk are withdrawn or recalled, where there is no other effective means available to eliminate the serious risk, or that their being made available on the market is prohibited.

## 4.2 Tangible Indicators Market Surveillance of Construction Products

The following table illustrates the tangible market surveillance indicators that have been implemented to support compliance with Article 10(6) of Regulation (EC) No 2019/1020. These indicators will be collated by DCC-NBCMSO annually. This data collection will also support sharing of data and intelligence to support the various notification and intelligence transfers between regulators.

Market Surveillance of Construction Products under S.I. 225 of 2013 Indicators to end of year	2021	2022	2023
1. Total No. of construction product related complaints	10	4	49
2. No. of formal complaints by industry concerning unfair competition	0	1	0
3. Total No. of inspections and broken down by:			
i. No. of reactive inspections undertaken on foot of complaint,	10	2	30
ii. No. of on-site self-initiated inspections	109	70	45
iii. No. of desk-top self-initiated inspections, and	109	70	42
iv. No. of inspections prompted by the Revenue Commissioners (i.e., Customs)	0	0	0
4. Assessment of product compliance based on:			
i. Tests performed in laboratories	148	257	110
ii. Checks of products and/or documentation e.g., CE Mark, DoP, Safety Information in Use	109	70	45
5. No. of inspections/ assessments resulting in:			
i. A finding of non-compliance	2	3	0
ii. Corrective actions being taken by relevant economic operator (i.e., voluntary measures)	2	2	0
iii. Restrictive measures being taken by the market surveillance authority	2	1	0
iv. No of ICSMS Inspections logged	45	26	40
v. No of Article 12(3) of the EU(CPR) 2013 Requests for Information	32	70	48
vi. No of Article 14(1) of the EU (CPR) 2013 Notices Issued/Served	6	3	0
vii. No of Article 14(2) of the EU (CPR) 2013 Notices Issued/Served	0	0	0
viii. No of Article 14(3) of the EU (CPR) 2013 Notices Issued/Served	0	0	0
6. No of prosecutions taken	0	0	0
7. No. of successful prosecutions i.e., where sanctions/penalties were applied	0	0	0
8. No. of notifications to other Member State Market Surveillance Authorities	0	0	1
9. Additional Comments/Other	N/A	N/A	N/A



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## 5.0 Co-operation between Member States

Mechanisms for ensuring cooperation and involvement of stakeholders (business, consumer organisations, economic operators including stakeholders in other Member States and Northern Ireland) to ensure market surveillance of construction products is delivered in an effective and efficient manner on a nationwide basis include the following:

### 5.1 Active Liaison, Advice & Guidance

DCC-NBCMSO/ 31 Building Control & Market Surveillance Authorities will continue to carry out active liaison, advice, guidance and consultation with the Economic operators, end users and principal stakeholders involved in the construction sector.

### 5.2 Co-operation

Other organisations, agencies, and regulatory authorities, including those of other Member States and Northern Ireland may be involved in the strategy by providing information or assistance as agreed.

### 5.3 Horizontal Co-operation

Other organisations, agencies, and regulatory authorities, including those of other Member States and Northern Ireland may be involved in the strategy by providing information or assistance as agreed. DCC-NBCMSO envisages the involvement of a broader stakeholder group of Government Departments, National and European Agencies/industry to work in partnership to ensure market surveillance of construction products is delivered in an effective and efficient manner on a nationwide basis.

### 5.4 Informing Undertakings

Building Control & Market Surveillance Authorities will continue to carry out active liaison, advice, guidance and consultation with the principal stakeholders involved in the construction sector including stakeholders in other Member States and Northern Ireland.



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## Appendix 1: Information Note for Economic Operators – Volume 1

# Market Surveillance Campaign 2024

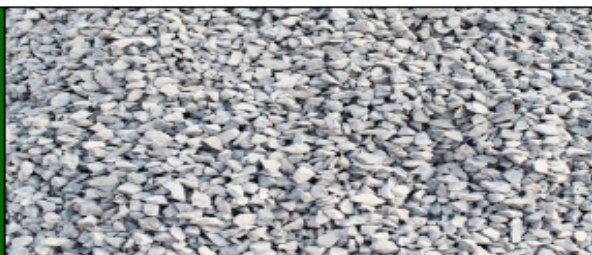
Aggregate products within the scope of [EN 12620](#), [EN 13043](#), [EN 13139](#) & [EN 13242](#) must be CE Marked, since July 2013.



If you are an Economic Operator:  
E.g.

- Manufacturer;
- Importer; or
- Retailer / Distributor

of Aggregate products you should be aware of your obligations under the criteria for CE Marking.



The National Building Control & 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 economic operators to ensure technical compliance for Aggregate products including those within the scope of [EN 12620](#), [EN 13043](#), [EN 13139](#) & [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 criteria 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 Construction Product Regulations.

The Market Surveillance Campaign 2024 is co-ordinated by

Dublin City Council - National Building Control Office ([DCC-NBCMSO](#)).

For all queries, please email: [support@nbco.gov.ie](mailto:support@nbco.gov.ie)





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## 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.

Information sought (but not limited to) relevant to the responsibility of each Economic Operator.

### 2. TIMELINE FOR COMPLIANCE

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

No.	Description	Manufacturer	Importer	Distributor/
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 the relevant harmonised standard.	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 instructions and safety information.	Y	Y	Y
7.	The means by which products within the scope of the relevant harmonised standard are placed, or made available, on the market can be identified and traced throughout the supply chain.	Y	Y	Y

### 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:FN: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 / Standard Recommendation 16:2016—Guidance on Use of EN 12620
- EN 13043:2002—Aggregates for Bituminous Mixtures / Standard Recommendation 17:2004—Guidance on Use of EN 13043
- EN 13139:2002&AC:2004—Aggregates for Mortar / Standard Recommendation 18:2021+AC:2021—Guidance on Use of EN 13139
- EN 13242:2002+A1:2007—Aggregates for Unbound & Hydraulically Bound Materials / Standard Recommendation 21:2014+A1:2016—Guidance on Use of EN 13242

\*Aggregate Products, Vol.1, Market Surveillance Campaign 2024.

\*Additional volumes can be found [here](#).



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Department of Housing,  
Local Government and Heritage



Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## Appendix 2: Information Note for Economic Operators – Volume 2

# Market Surveillance Campaign 2024

**Masonry Units within the scope of EN 771-3 must be CE Marked, since July 2013.**



**If you are an Economic Operator:**

E.g.

- Manufacturer;
- Importer; or
- Retailer / Distributor

**of Masonry Units you should be aware of your obligations under the criteria for CE Marking.**



The National Building Control & 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 economic operators to ensure technical compliance for Masonry Units (Dense & Lightweight Aggregates) including those within the scope of EN 771-3. 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 criteria 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 Construction Product Regulations.

The Market Surveillance Campaign 2024 is co-ordinated by  
Dublin City Council - National Building Control Office ([DCC-NBCMSO](#)).

For all queries, please email: [support@nbco.gov.ie](mailto:support@nbco.gov.ie)







**Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).**

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## 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.

Information sought (but not limited to) relevant to the responsibility of each Economic Operator.

### 2. TIMELINE FOR COMPLIANCE

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

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 771-3.	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+ for Category 1).	Y	-	-
6.	The instructions and safety information.	Y	Y	Y
7.	The means by which products within the scope of EN 771-3 are placed, or made available, on the market can be identified and traced throughout the supply chain.	Y	Y	Y

### 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 771-3:2011+A1:2015—Specification for Masonry Units—Part 3 Aggregate Concrete Masonry Units \(Dense & Lightweight Aggregates\)](#)
- [Standard Recommendation 325:2013+A2:2018/AC:2019—Recommendations for the Design of Masonry Structures in Ireland to Eurocode 6](#)

\*Masonry Units, Vol.2, Market Surveillance Campaign 2024.

\*Additional volumes can be found [here](#).



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Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## Appendix 3: Information Note for Economic Operators – Volume 3

# Market Surveillance Campaign 2024

Structural Steel & Aluminium within the scope of [EN 1090-1](#) must be CE Marked, since July 2013.



If you are an Economic Operator:

E.g.

- Manufacturer;
- Importer; or
- Retailer / Distributor

of Structural Steel & Aluminium you should be aware of your obligations under the criteria for CE Marking.



The National Building Control & 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 economic operators to ensure technical compliance for Structural Steel & Aluminium products including those within the scope of [EN 1090-1](#). 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 criteria 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 Construction Products Regulations.

The Market Surveillance Campaign 2024 is co-ordinated by

Dublin City Council - National Building Control Office ([DCC-NBCMSO](#)).

For all queries, please email: [support@nbco.gov.ie](mailto:support@nbco.gov.ie)





**Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).**

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## 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.

Information sought (but not limited to) relevant to the responsibility of each Economic Operator.

### 2. TIMELINE FOR COMPLIANCE

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

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 1090-1.	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 instructions and safety information.	Y	Y	Y
7.	The means by which products within the scope of EN 845-2 are placed, or made available, on the market can be identified and traced throughout the supply chain.	Y	Y	Y

### 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 1090-1:2009+A1:2011—Execution of Steel Structures & Aluminium Structures—Part 1: Requirements for Conformity Assessment of Structural Components](#)

\*Structural Steel & Aluminium, Vol.3, Market Surveillance Campaign 2024.

\*Additional volumes can be found [here](#).





Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## Appendix 4: Information Note for Economic Operators – Volume 4

# Market Surveillance Campaign 2024

**Prefabricated Lintels within the scope of EN 845-2 must be CE Marked, since July 2013.**

Lintels manufactured in accordance with the standard can be made from steel, autoclaved aerated concrete (AAC), and manufactured stone or concrete, among other materials.

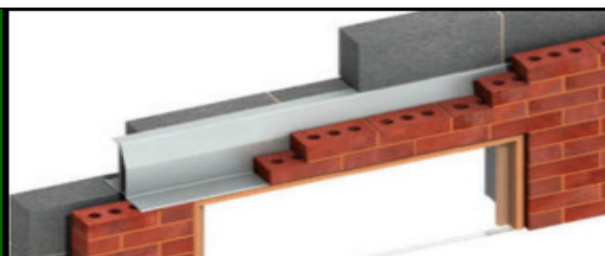


**If you are an Economic Operator:**

E.g.

- Manufacturer;
- Importer; or
- Retailer / Distributor

**of Prefabricated Lintels you should be aware of your obligations under the criteria for CE Marking.**



The National Building Control & 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 economic operators to ensure technical compliance for Prefabricated Lintel products including those within the scope of EN 845-2. 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 criteria 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 Construction Products Regulations.

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For all queries, please email: [support@nbco.gov.ie](mailto:support@nbco.gov.ie)







Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## Appendix 5: Information Note for Economic Operators – Volume 5

# Market Surveillance Campaign 2024

**Wall Ties, Tension Straps, Hangers & Brackets within the scope of EN 845-1 must be CE Marked, since July 2013.**

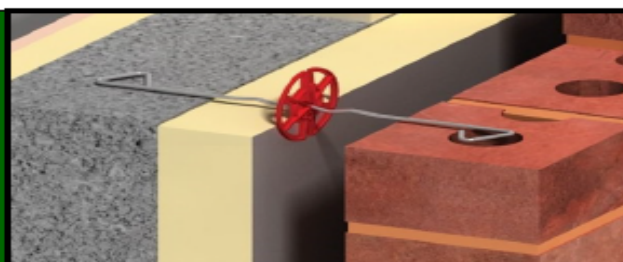


If you are an Economic Operator:

E.g.

- Manufacturer;
- Importer; or
- Retailer / Distributor

of Wall Ties, Tension Straps, Hangers & Brackets you should be aware of your obligations under the criteria for CE Marking.



The National Building Control & 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 economic operators to ensure technical compliance for Prefabricated Lintel products including those within the scope of EN 845-1. 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 criteria 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 offence under the Construction Products Regulations.

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For all queries, please [email: support@nbco.gov.ie](mailto:support@nbco.gov.ie)





**Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation. 38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).**

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## 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.

Information sought (but not limited to) relevant to the responsibility of each Economic Operator.

### 2. TIMELINE FOR COMPLIANCE

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

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 845-1.	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 3).	Y	-	-
6.	The instructions and safety information.	Y	Y	Y
7.	The means by which products within the scope of EN 845-2 are placed, or made available, on the market can be identified and traced throughout the supply chain.	Y	Y	Y

### 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 845-1:2013+A1:2016—Specification for Ancillary Components for Masonry—Part 1: Wall Ties, Tension Straps, Hangers & Brackets](#)

\*Wall Ties, Tension Straps, Hangers & Brackets, Vol.5, Market Surveillance Campaign 2024.

\*Additional volumes can be found [here](#).



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Article 13 of Regulation 2019/1020, Regulation ANNEX I List of Union harmonisation legislation.  
38. Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).

- Construction Products
- Date: 1<sup>st</sup> of January 2024
- Dublin City Council - National Building Control and Market Surveillance Office

## Appendix 6: Useful Links for Market Surveillance of Construction Products

- [Regulation \(EU\) No 305/2011 – Laying Down Harmonised Conditions for the Marketing of Construction Products](#)
- [Regulation \(EU\) 2019/1020 – Market Surveillance and Compliance of Products](#)
- [S.I. No. 225/2013 – European Union \(Construction Products\) Regulations 2013](#)
- [S.I. No. 217/2023 – European Union \(Construction Products\) \(Amendment\) Regulations 2023](#)
- [FAQ \(EU\) – Construction Products Regulation \(CPR\)](#)
- [European Commission – “Good Practice for Market Surveillance”](#)
- [Circular Letter BC04-2023: European Union \(Construction Products\) \(Amendment\) Regulations 2023](#)
- [S.I. No. 217 of 2023](#)
- [Market Surveillance Campaign 2023 – Aggregates \(Workshop\)](#)
- [Roles of the National Building Control & Market Surveillance Office](#)
- [Working with Economic Operators to Promote a Culture of Compliance with the CPR](#)
- [A Guide to the Marketing & Use of Aggregate Concrete Blocks to EN 771-3 in Ireland](#)