

**REPORT TO TCAM AND ECC  
ON RTTE MARKET SURVEILLANCE CAMPAIGN  
CARRIED OUT BY ADCO AND RA11**

Survey Dates: September 2002 - October 2003  
Report date: 28 November 2003

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## **1 Executive Summary**

On request of the European Commission, a Market Surveillance Campaign on compliance with the administrative requirements of the RTTE Directive 1999/5/EC was conducted jointly by ADCO and ECC/WGRA/RA11<sup>1</sup> between September 2002 and October 2003. The campaign was open for participation by the market surveillance authorities of countries that implement or recognise the Directive, including a mixture of countries from the EU, the EEA, the accession countries, and countries having mutual recognition agreements with the EU.

Equipment was randomly surveyed and data was collected in a common electronic format and stored in a secure section of the Commission's CIRCA website. Processing and analysis of the data was performed by the ERO. Confidentiality was maintained regarding the identities of the equipments surveyed.

The overall compliance was extremely disappointing. About 4% of equipment surveyed had no CE marking at all. Only 24% of equipment overall was fully compliant with the RTTE administrative requirements, although the results for PSTN, DECT and GSM terminals were better than average.

The results were similar in the markets of all the 19 countries participating.

Equipment originating from 40 different countries showed similar patterns of low full compliance. However, a significant number of equipments failed on only 1 or 2 parameters out of 17 analysed. Most non-compliance was in failure to provide the required marking in user information, to provide an appropriate declaration of conformity, or to identify the intended area of use for the equipment.

The campaign was effective in providing a common methodology to be applied by market surveillance field staff, and in raising awareness of those staff regarding the RTTE administrative requirements. Since the campaign was limited to administrative issues, no evidence is available, and no conclusions can be drawn about the technical compliance of the equipment surveyed.

The campaign results show the degree of compliance with the administrative requirements of the RTTE Directive, but give little insight into the *causes* of the substantial non-compliance. An investigation into these causes would be very valuable.

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<sup>1</sup> ADCO is the Group for Administrative Cooperation under the RTTE Directive, and RA11 is the CEPT group responsible for enforcement affairs.

**It is recommended that:**

- 1) The co-operation and contacts established through the campaign should continue as a support in day-to-day surveillance and enforcement activities.
- 2) The Commission should take account of this report in its review of the Directive. The survey suggests the administrative requirements might be excessive.
- 3) The Commission and ECC should consider how best to publicise this report, as an aid to improving compliance of equipment
- 4) The Commission should promote and support efforts to clarify the administrative requirements so they are easily understood by manufacturers and importers. They should also review and overhaul the RTTE website.
- 5) The Commission and ERO should sponsor a Workshop for Industry and other interested parties on this report, to explain the contents and to discuss the reasons behind non-compliance.
- 6) This could be supported by a questionnaire to suppliers
- 7) Actions should be within 1st half of 2004, to have an urgent impact on the market.
- 8) The Commission should consider an in-depth investigation into the reasons for the substantial level of non-compliance, and what further action should be taken.
- 9) National market surveillance authorities should continue to monitor the situation in their countries, and take any additional actions they consider necessary.
- 10) It should be reviewed whether another campaign of this type needs to be undertaken in 2006 (not before), or whether the follow-up actions from this campaign result in full compliance as the normal situation, in which case no further campaign is needed.

Note: These are abbreviated recommendations. For more detail see section 4.6 of the Report

## **2. Background to the campaign**

### **2.1 Reasons for the study**

The RTTE Directive 1999/5/EC was required to be transposed into national law by 7 April 2000, and transitional arrangements for placing on the market under earlier regimes were ended on 7 April 2001. However, due to the time taken for product to progress through the supply chain to the consumer, it was not possible to get a clear picture of conformity in the marketplace during these early years.

The Directive had a major effect on the way compliance of radio equipment placed on the market had to be demonstrated. It saw the end of type approval regimes, which although they increasingly relied on common ETSI standards, were still essentially national in character and operation. The Directive provided, for the first time, a truly European market for radio equipment. It also provided a final deregulation for telecommunications terminal equipment, making it virtually equivalent to IT or white goods products in terms of conformity requirements.

It was important to see how this was developing. Discussions and exchange of information in ADCO and in RA11 showed two distinct issues. On one hand, technical non-compliance could be expected to show up in products failing to work properly or causing interference. There was a general perception that the situation in this regard was little changed, and that products generally continued to be technically compliant, apart from the small proportion of the market which had never respected the old type approval regimes, and which continued to flout the law much as before. On the other hand, there was another general perception that administrative compliance was poor, and in one country random inspections had found over 30% of products not fully conforming with CE marking requirements. Therefore it was decided that further investigation of this area was needed to quantify the actual situation.

The New Approach recognises that market surveillance and enforcement are matters of national subsidiarity. Not only are there differences between the national legal frameworks, there are also traditional differences in approach, and differences in the levels of resource available. These factors had to be taken into account in structuring a European-wide surveillance campaign. It was decided to investigate the administrative compliance of a certain number of products, randomly selected from the marketplace in as many participating countries as could be arranged. The purpose of the campaign would be to record overall statistics on compliance, and to raise awareness of this issue, not to judge individual cases. Any such judgement or further investigation was a national matter. The most important outcome from the campaign should be to get a clear picture of the situation in the marketplace and to identify possible difficulties.

Clearly, since the campaign was limited to administrative issues, no evidence is available, and no conclusions can be drawn, about the technical compliance of equipment.

### **2.2 Practical Arrangements**

#### **Participation in the campaign**

On request of the European Commission, the Market Surveillance Campaign on the operation of the RTTE Directive in Europe was conducted jointly by ADCO and RA11. The campaign was open for participation, on a voluntary basis, by the market surveillance authorities of all countries represented in the TCAM committee.

### **Timing**

The authorities were responsible for their own timing of actions within the campaign timeframe from September 2002 to September 2003. Since not all market surveillance authorities were able to finalize the campaign within this timeframe the deadline was extended till the end of October 2003.

### **Choice of equipment surveyed**

Each participating country was responsible for the choice of equipment to be surveyed within the campaign target of 100 equipment types per country. The equipment was chosen randomly in a manner that was roughly representative of the product range on offer to consumers - the survey did not just concentrate on "worst cases".

It was suggested that about 80 of the equipment types checked should be radio equipment, with some equipments from class 1 and some from class 2 of the Indicative list under Commission Decision of 6 April 2000.

### **Common understanding**

In order for the campaign to be effective, it was important to have a common code of practice (Annex 1) and a common electronic form for recording administrative aspects of marking, labelling and user information (Annex 2). These were agreed jointly by ADCO and RA11 committees. Each participating country was responsible for passing on the common understanding to the field staff collecting data.

### **Data collection and processing**

Data on the equipments surveyed were collected on the ADCO section of the secure CIRCA website, which is accessible by all countries attending TCAM. All countries participating in the campaign or otherwise viewing the website were required to respect the confidentiality of the data. The identification of the surveyed equipment was treated in complete confidence. Industry representatives were not allowed to access the website.

Processing of the data was agreed to be done by ERO in co-operation with ADCO and RA11. This gave an independent view of the campaign which was helpful in reaching the common understandings, as well as in the data analysis. No public comments or publicity about the campaign would be made by ERO without prior agreement of both ADCO and RA11.

### **Method of Analysis**

A joint meeting of ADCO and RA11 produced a guidance document on evaluating the conformity of the equipment with the RTTE Directive (Annex 3). It identified on the data forms the main parameters regarding conformity, and took into account the alternative presentations of information discussed and agreed at TCAM (for example, regarding the CE marking of small products, the alternative forms of declaration of conformity, and the acceptance that class 1 products need not give detailed information on areas of intended use).

Any equipment failing to conform with one or more of these parameters was considered "not fully in conformity with the administrative requirements of the RTTE Directive". (A small number of equipments were surveyed that had been placed on the market under previous national or European approval regimes, but these were excluded from the analysis of conformity with the Directive).

Practical difficulties were encountered in analysing the data forms. A considerable number of parameters were missing, and some field staff clearly had difficulties in completing the forms, for example in identifying the correct "indicative type" of equipment. In some cases, the national administrations were able to correctly interpret the data and correct the forms before submission. In other cases, the problems identified by ERO during initial analysis were corrected or were fed back to the national administrations for clarification. In extreme cases inadequate data forms were excluded from the analysis.

### 3 Results and analysis

#### 3.1 Extent of the study

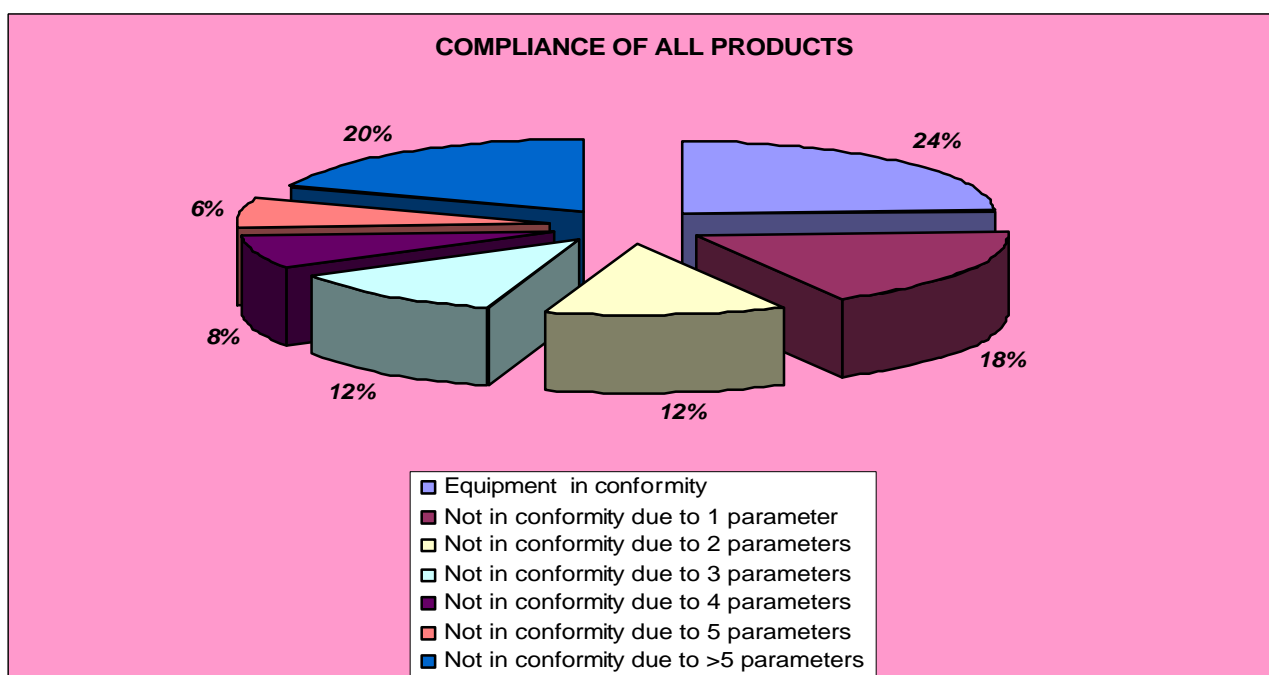
The number of countries included in the campaign results was 19, comprising a mixture of countries from the EU, the EEA, the accession countries, and countries having mutual recognition agreements with the EU. In addition some countries expressed a willingness to participate in the campaign, but were unable in the event to provide survey data, for a variety of reasons.

The types of equipment investigated also covered a broad range. Annex 5 shows the numbers of equipment sampled per country, by class and by equipment category, and gives percentage breakdowns of the equipment categories represented in the campaign. The most common equipment categories were<sup>2</sup>:

37%	SRD	Class 2, category 07
11%	PMR	Class 2, category 06
10%	PSTN	Class 1, category 02
7%	NSSRD - 433 MHz	Class 1, category 20
7%	DECT	Class 1, category 18
6%	GSM	Class 1, category 09

#### 3.2 Overall Compliance

The overall compliance with the administrative requirements of the RTTE Directive for the equipment surveyed (excluding equipment placed on the market under previous regimes) is shown in the figure below:



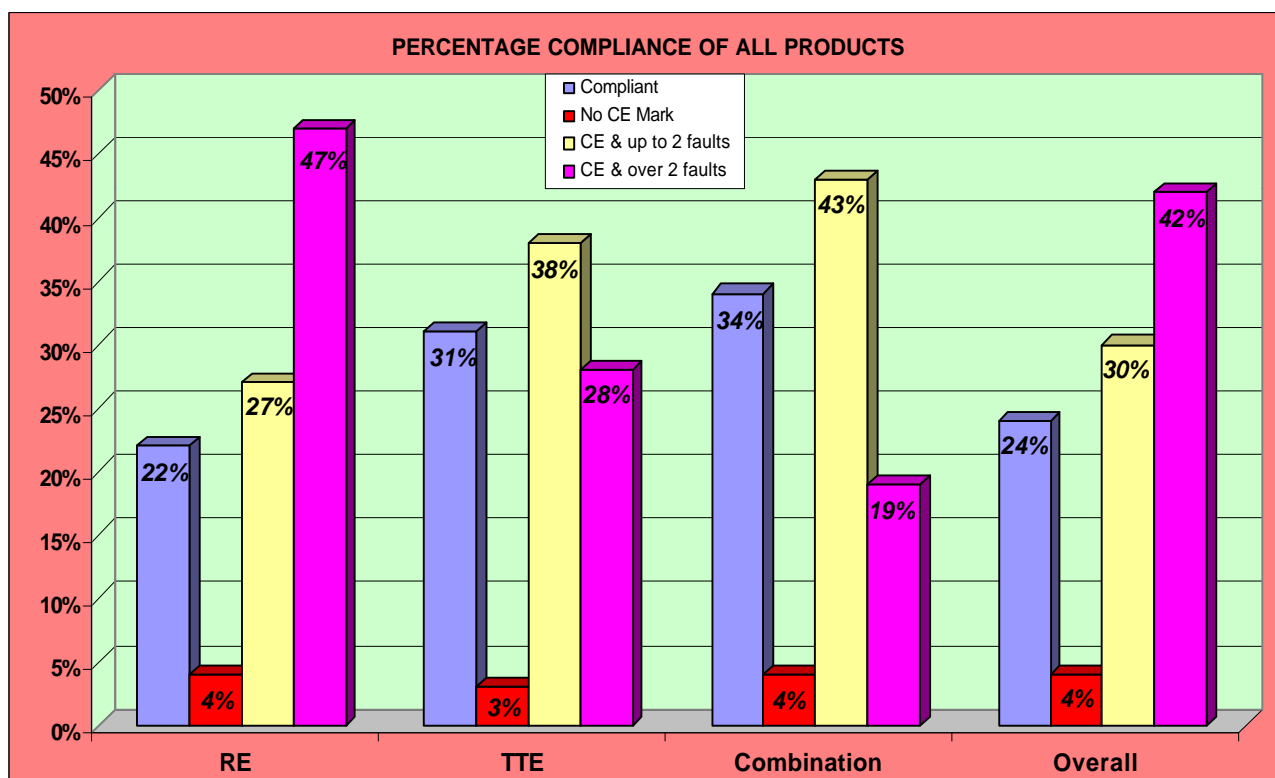
**Figure 1 : Compliance of all products**

This shows that only 24% of the equipment surveyed was **fully** in compliance with the administrative requirements. 18% of the equipment failed the requirements in only one of the analysed parameters, and a further 12% failed in only two parameters, and so on. (The total number of parameters analysed was 17 - see Annexes 2 and 3).

<sup>2</sup> For a complete list of equipment categories, see Annex 4

Further analysis of overall compliance is given in Annex 6. This shows that about 4% of equipments surveyed had no "CE" mark at all, neither on the product, the packaging, or the user information. These products are considered as not properly "aimed at" the European market, and may be the result of improper importation, or may be due to manufacturers or importers not being aware of the applicable regulation.

Annex 6 also shows that telecom terminals, and equipment with combined radio plus telecom features, have better compliance than radio equipment - ie. the percentage fully compliant is higher (over 30% as against 22% for radio), and the proportion of equipment with over two failed parameters is less. The diagram below summarises this:



**Figure 2: Compliance of all products**

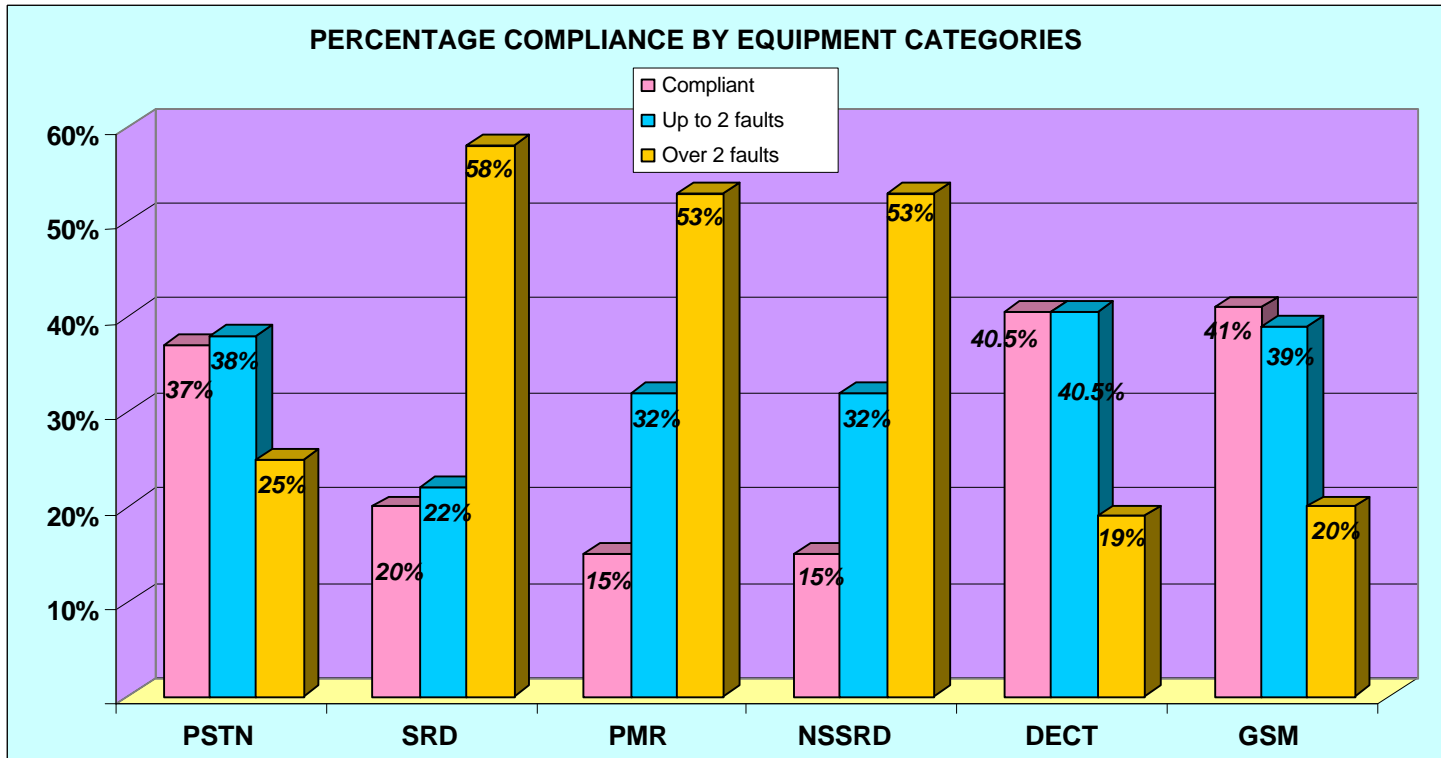
Levels of compliance are higher for TTE and combined equipment than for radio equipment.

These results may be partially due to the fact that the compliance of the SRD and PMR markets has a dominant effect on the overall compliance figures for radio equipments in this chart. There are more administrative requirements to be met by class 2 radio equipment than by any other types of equipment, and the SRD market in particular is more fragmented, with many smaller players. Therefore a further breakdown of compliance by equipment category is necessary, as in the section below.

### 3.3 Compliance by equipment category

Equipments with no "CE" mark are excluded from this analysis. They do not fulfil the most basic requirement, so further checking had no sense.

The compliance of the most commonly found equipment categories is shown in the figure below:



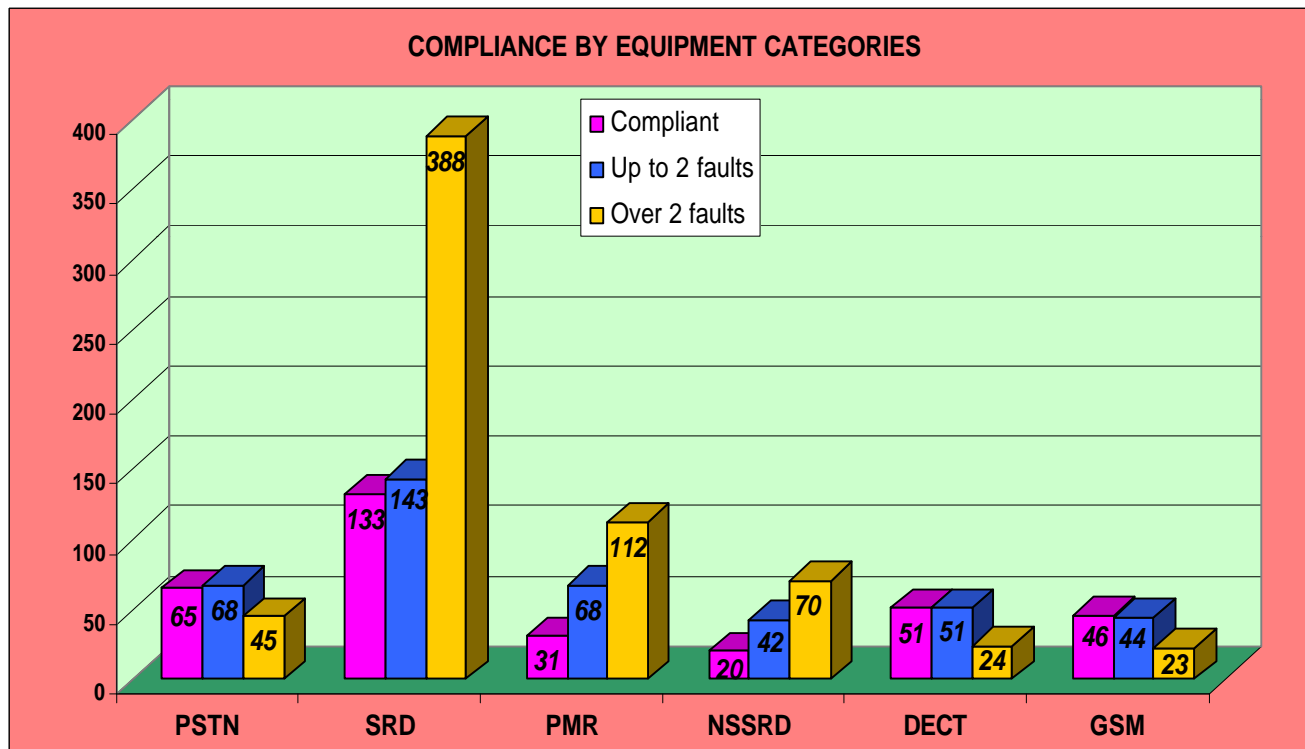
**Figure 3: Percentage compliance by equipment categories**

This shows higher compliance for TTE (PSTN) and for combined equipment (DECT and GSM) than for the most common radio equipment categories.

As mentioned in the last section, there are more administrative requirements to be met by class 2 radio equipment than by any other types of equipment, and this might partly explain the poor compliance of the SRD and PMR markets. However, Non-specific SRDs are class 1, and their compliance figures are the same as PMR, and worse than SRD, therefore the argument does not hold true. The inference is that the administrative requirements are simply not taken into account in many cases in these markets, which, as mentioned before, are notable for being fragmented, with many smaller players.

The above figure also shows substantial administrative non-compliance for PSTN, DECT, and GSM, even though these equipments have had a fully harmonised European market for several years. GSM equipments in particular are produced by a small number of large suppliers, and can be expected to meet the essential technical requirements of the Directive (or else they would soon be driven from the market). It has been suggested that the poor administrative compliance might show a failure to react to requirements introduced under the RTTE Directive, and not present in earlier telecoms directives, or in the EMC and Low Voltage Directives - for example, the requirement that the "CE" mark is included in the user information, as well as on the product and packaging.

It is also interesting to present compliance by equipment categories in terms of the actual numbers of equipment types surveyed, as in the figure below:



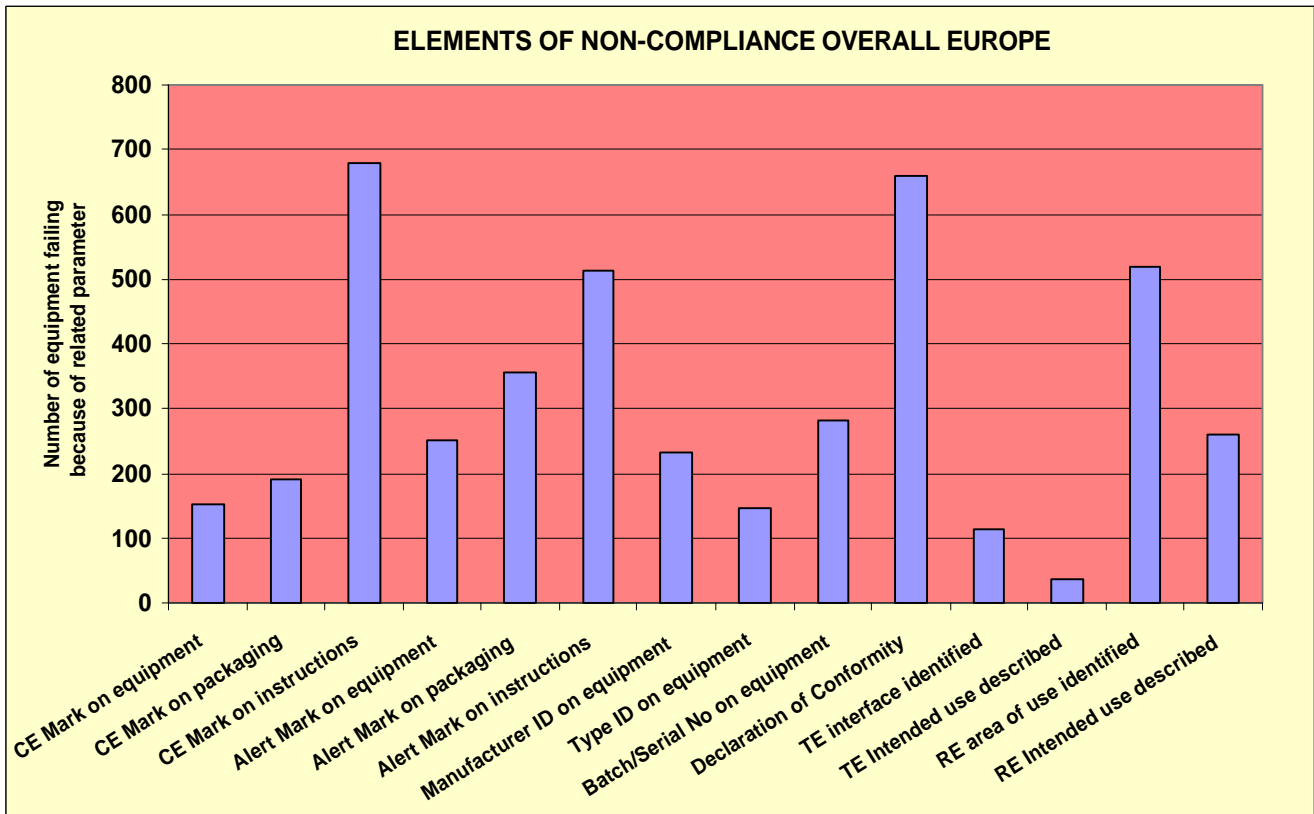
**Figure 4: Compliance by equipment categories**

This shows the number of equipments surveyed in the most common categories. It shows that SRDs are the largest sector of non-compliant equipment surveyed.

This diagram shows why the performance of the SRD sector dominates the overall compliance figures for radio equipment shown in Figure 2 above.

### 3.4 Elements of Non-compliance

The most common forms of failure to meet the parameters analysed in the study are shown in the figure below (for equipment having at least one "CE" mark):



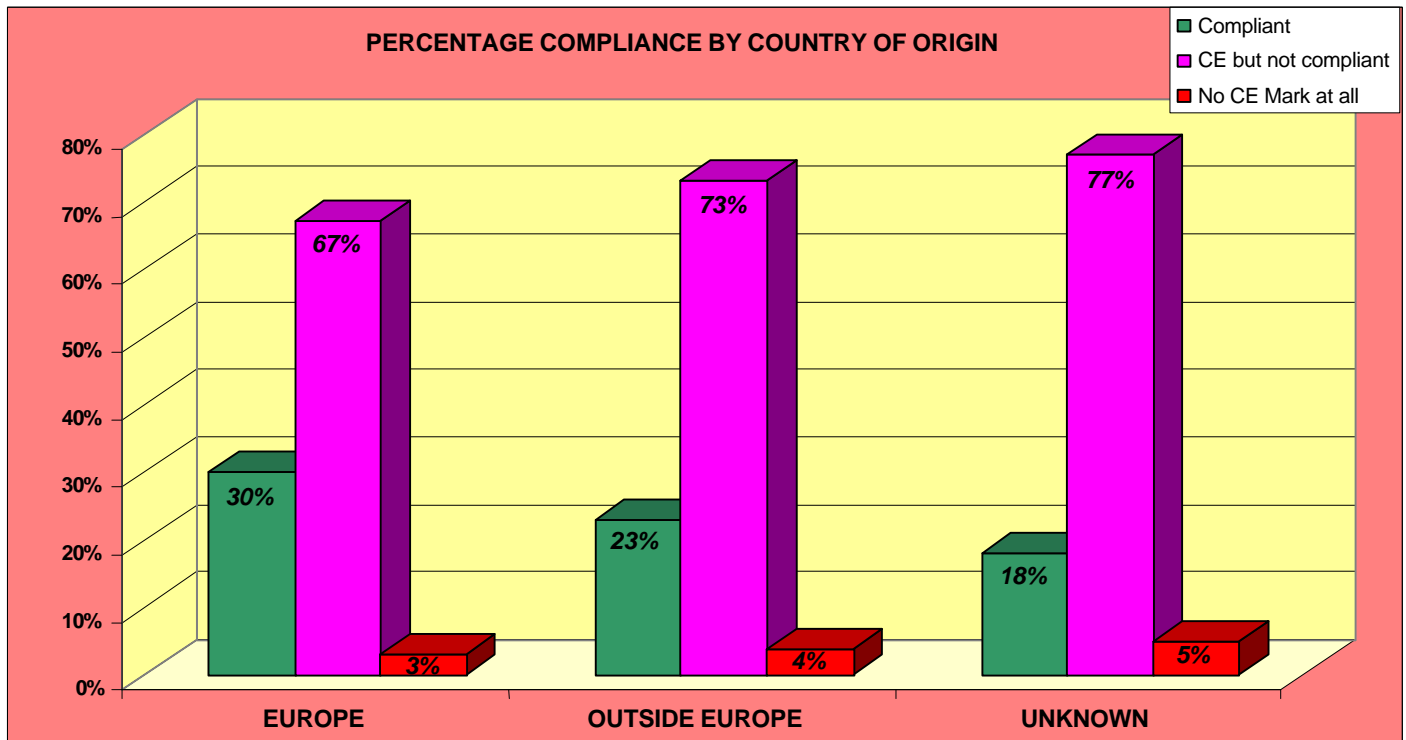
**Figure 5: Elements of non-compliance**

This figure shows large numbers of failures to include all the required marking on the equipment, packaging and instructions, to provide a declaration of conformity (of either type), and to give what is considered to be appropriate information for the user.

As remarked in the previous section, the inclusion of marking in user information is a requirement not found in earlier directives. This may partially explain the high proportion of failures in this respect.

### 3.5 Compliance by country of origin

For about 18% of the equipment surveyed, the country of origin was not mentioned in the information available. The remaining equipment came from a total of 40 identified countries, within and outside Europe. The average compliance for equipment from each country of origin was analysed, and the results were roughly similar across the range of countries. On average, compliance rates from within and outside Europe were as shown below:



**Figure 6: Compliance by country of origin**

This figure shows roughly similar rates of compliance from all countries of origin.

Although the average conformity of products originating within Europe is higher than those from outside Europe, the rate of compliance is only 30%.

### 3.6 Experience gained

Several countries said the campaign gave a good opportunity to raise awareness of their market surveillance field staff regarding the specific requirements of the RTTE Directive. The use of a harmonised format and common interpretation helped make national training easier.

However, there was a considerable overhead for core staff in organising and running the survey, and in checking returned forms for consistency of interpretation. Even so, some significant differences were found in forms submitted to analysis, for example the classification of GSM as "radio" or "combined" varied from one country to another, as did the assessment of whether the CE marking layout was correct. The analysis has been adjusted to cope with these differences as explained in section 2.2.

## **4 Conclusions and Recommendations**

### **4.1 Effectiveness**

The campaign was extremely effective in involving market surveillance staff in many countries in a co-ordinated survey, using harmonised formats and agreed ways to check compliance. The resulting information was shared efficiently through the Commission's CIRCA website. A detailed analysis was conducted most effectively by the ERO, and the results of the campaign have been presented in simple, easily-understood, graphics.

There is every reason to believe that the campaign has achieved its target of taking an accurate "snapshot" of the degree of compliance with the administrative requirements of the RTTE Directive throughout the countries concerned.

### **4.2 Overall compliance**

The low level of only 24% of equipment fully compliant with the administrative requirements is extremely disappointing, particularly in view of

- a) the measures already taken in all countries, and by the Commission, to raise awareness of manufacturers and to provide information sources explaining the Directive, and
- b) the participation of Industry representatives at TCAM meetings and subgroups since its inception.

The survey shows that many equipments fail on only a few parameters. This means that, despite good endeavours, manufacturers or importers have difficulty in identifying *all* the administrative requirements for their products. This must call into question whether the Directive itself is sufficiently clear, and whether the clarifications and interpretations made by TCAM have been adequately publicised. It should also be questioned whether *all* the administrative requirements are really necessary.

### **4.3 Compliance by equipment category**

The survey shows substantial administrative non-compliance for all categories of equipment, but draws attention to high levels of non-compliance coupled with strong market penetration for SRDs.

It has been suggested that, as well as the fragmented market and large number of small players, the compliance of SRDs may be affected because they are often used as an accessory with or in another product - the manufacturer of the main product often seems unaware of the RTTE regulations.

### **4.4 Elements of non-compliance**

The survey shows high levels of non-compliance for all the parameters analysed, but particularly for inclusion of the required marking in the information accompanying the product, and for provision of a declaration of conformity.

### **4.5 Compliance by country of origin**

Non-compliance was prevalent in equipment from all countries of origin. Clearly, any actions resulting from this survey should be addressed at products originating both within and outside Europe.

## 4.6 Recommendations

- 1) The co-operation and contacts established between surveillance authorities, and between ADCO and RA11, should continue, as a support in day-to-day surveillance and enforcement activities.
- 2) The Commission should take account of the contents of this report in its ongoing reviews of the operation of the RTTE Directive. The survey suggests there might be excessive administrative requirements introduced under the Directive.
- 3) The Commission, through TCAM, and the ECC, through RA, should consider the further publication of this report as an aid to improving compliance of equipment in the European market. Publication should be addressed both at European and non-European audiences. Possible levels of publicity might be:
  - a) Publication of report on Commission and ECC websites
  - b) National action to draw attention to the report
  - c) European action to draw attention to the report, involving ERO as well as national authorities
  - d) European action at Commissioner level, drawing attention to the report
  - e) Communication of the report contents on overseas trade missions, etc.
- 4) The Commission should promote and support efforts to clarify the administrative requirements, placing them in a format which is simple to understand by any manufacturer or importer. Such a "Guide for Industry" has already been proposed in TCAM, and ADCO members will contribute their expertise to it. In addition, the Commission should sponsor a review and overhaul of its RTTE website to make it simpler, clearer, and more authoritative as a source for Industry.
- 5) The Commission and ERO should sponsor a Workshop for Industry and other interested parties, developed by ADCO and RA11, at which the contents and conclusions of this report are explained and discussed. This should be seen as an exercise to the mutual benefit of Industry and Authorities. It should be a step on the way to discovering **why** the administrative requirements of the Directive are not respected.
- 6) The above recommendation could be supported by a questionnaire to suppliers.
- 7) All the above recommendations should be acted upon quickly - within the first half of 2004 - in order to have an urgent impact on the marketplace. Clearly it would be helpful to impact the market at European level, rather than leaving administrations to deal with all equipment suppliers individually.
- 8) The Commission should consider an in-depth investigation into the reasons for the substantial level of non-compliance, and what further action should be taken. This might be carried out within the framework of international co-operation already established in ADCO and RA11.
- 9) Changes made by suppliers of equipment take some time to work their way through to the marketplace. National authorities should continue to monitor the situation in their countries in the meanwhile, and take any additional actions that they consider necessary.
- 10) It should be reviewed whether another campaign is undertaken in 2006 (not earlier) to obtain another "snapshot" of administrative compliance in the market, or whether - hopefully - the follow-up from the present campaign results in full compliance being the normal situation, in which case a further campaign is unnecessary.

## ANNEX 1

### CODE OF PRACTICE FOR THE CAMPAIGN

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ADCO 11(02)03  
Extract from Doc. RR11(02)28, Annex V

#### EUROPEAN SURVEILLANCE CAMPAIGN ON THE ADMINISTRATIVE PROVISIONS OF THE RTTE DIRECTIVE

##### Code of Practice

In order for the surveillance R&TTE Directive campaign to be effective, it is important for the participating countries to have a common understanding (code of practice) of the following aspects:

##### 1. Participation of the campaign

The campaign is open for participation, on a voluntary basis, by the market surveillance authorities of all countries represented at the TCAM committee.  
Each country will have access to the secure CIRCA website, on which the results of the survey will be collected. Each country must upload each survey form that it completes to that country's area of the website.

##### 2. Confidentiality of identification of equipment surveyed

All countries participating in the campaign or viewing the "raw" information on the CIRCA website **must treat in complete confidence the identification of the equipment surveyed** (top of the form). This information is provided as part of the market surveillance informal interchanges of information on products, and must be removed when presenting any results or statistics from the campaign.

##### 3. Timing

The countries are responsible for their own timing of actions within the campaign time frame from September 2002 to September 2003. It will be helpful for countries to upload their information to CIRCA as quickly as possible, so that interim conclusions can be discussed as the campaign progresses.

##### 4. Choice of equipment to be surveyed

The countries are responsible for their own choice of equipment to be surveyed within the campaign target of 100 equipment types per country. It is suggested that the 100 equipment types are split roughly 20 TTE/80 RE, with the RE types including some from class 1 (9-24) and some from class 2 (1-13) of the Indicative list under the Commission Decision of 6 April 2000. TTE are in class 1(1-8) of that list. Some equipment surveyed may not fit the indicative list, or may have features of both TTE and RE. It is suggested that the RE class is used to categorise this equipment, or else it is categorised as "other", with more information given.

Countries can make use of information already placed on the CIRCA site when choosing which equipments to survey. There is no problem if the same equipment is surveyed in more than one country, but it would distort the results if the same equipment is surveyed in every country. For the same reason, the equipment surveyed should be chosen in a manner that is roughly representative of the product range on offer to consumers. The survey should not just concentrate on "worst cases".

##### 5. Interpretation of the form

For some questions, the survey authority has to make judgements (e.g. Is there "sufficient" information on where the product is intended to be used). The form is annexed *[Further discussions needed before the form is finalised to give outline guidance on this]*<sup>3</sup>

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<sup>3</sup> Note: See document ADCO14(03)19 which follows later in this Annex

## **6. Compliance or non-compliance**

For the purpose of the survey, it is only necessary to record the results required on the form. Assessment of compliance statistics will be made after the equipment is anonymised. It is not necessary for countries to make a judgement that a particular equipment is conforming or non-conforming as part of the survey. Any such judgement and any further investigation of equipment is entirely a national matter. If action is taken against any equipment, the usual information and safeguard procedures should be followed.

## **7. Photograph(s)**

Inclusion of photographs is voluntary. However, the availability of digital cameras and digital film processing makes this simple and cheap nowadays. Survey authorities might wish to photograph equipment where there is doubt over the interpretation of the equipment type, where there are unusual features or accessories, where the marking or documentation is unclear, or simply as a matter of record.

## **8. Statistics to be made from the survey results**

Each country is free to make whatever statistics it chooses for its own purposes about the equipment it has surveyed. Overall statistics will be made jointly by ADCO and RR11, and will be reported to TCAM and to ECC/RR. This will be done after anonymising the equipment. Statistics will be given factually, as number or proportion of cases being OK or not OK for particular aspects, such as CE marking, DoC, etc. Statistics will be given by equipment class, subclass, and overall.

End of Code of Practice

*Comments on the above document are welcomed, and should be sent to:*

[Jaap.blokzijl@ivw.nl](mailto:Jaap.blokzijl@ivw.nl) or

[derek.german@ra.gsi.gov.uk](mailto:derek.german@ra.gsi.gov.uk)

**Additional Guidance for the Market Surveillance Campaign  
(Code of Practice 2)**

**1. Clarification on the Equipment Classes :**

Equipment which contains a radio and fixed network interface together (kind of equipment : 'both') should be regarded as radio equipment only for the purposes of this surveillance campaign. Consequently around 80 radio and 20 telecommunication terminal equipment (where network connection is not by means of radio) should be inspected.

**2. Clarification on item A1 of the electronic form (CE Marking) :**

When the 'CE mark' and/or 'alert sign' of the sub items a), b) and c) of A1 are being checked, the focus should be on the existence of those markings even if the format of the markings are not in line with the R&TTE Directive. Whether the layout/form of the markings (CE alert sign) are correct or not should be recorded under sub item d).

**3. Clarification on Item A3 of the electronic form (Declaration of Conformity) :**

Commonly under the R&TTE Directive the DoC has to accompany the equipment in full format or as agreed in a previous TCAM meeting in a condensed format. Nevertheless there is the possibility that other wording lead to the conclusion, that the equipment is placed on the market under the provisions of the R&TTE Directive (like 'approved R&TTE' or 'complies with Dir.99/05/EC').

Where a product surveyed indicates that it has been placed on the market under the R&TTE Directive in the above stated manner item A3-c) 'Other reference to Dir. 99/05/EC' should be completed.

**4. Clarification on items C1 and C2 of the electronic form ( Requirements for terminal and/or radio equipment) :**

If a surveyed equipment falls under the category 'both', it should be ensured that the information details under items C1 and C2 are completed.

## ANNEX 2

### ELECTRONIC FORMAT USED IN THE CAMPAIGN

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*The form below is a copy of the format used in the surveillance campaign, and is taken from document ADCO11(02)03.rev.03. For illustrative purposes, certain of the tick-boxes in Part 1 of the form have been checked with a cross. This shows which of the parameters on the form have been used in the analysis presented in this report.*

#### EUROPEAN SURVEILLANCE CAMPAIGN ON THE ADMINISTRATIVE PROVISIONS OF THE R&TTE DIRECTIVE

Country Designator: United Kingdom    Reference No:    Date of survey:

#### Identification of equipment surveyed:

Kind of equipment:    ☒ Terminal equipment    ☒ Radio equipment    ☒ both

#### CATEGORY OF EQUIPMENT<sup>4</sup>:

Class:                      01  
Indicative list type:    2. PSTN

Description:

Type Name:

Batch or Serial Number:

Manufacturer:

Importer (if applicable):

Country of Origin:

**For equipment appearing to be placed on the market under the pre R&TEE Directive regime or taking advantage of the transitional provisions please go to part 2.**

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<sup>2</sup> Where possible, use the indicative list of equipment types under Commission Decision of 6 April 2000, class 1 (1-24) or class 2 (1-13)

**Part 1:**

**CHECKLIST R&TTE ADMINISTRATIVE REQUIREMENTS**

**A. For all equipment:**

**A 1 CE marking<sup>5</sup>:**

- |  |  |  |   |
|--|--|--|---|
| a) On the product  |  |  |   |
| CE Sign  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK | <input checked="" type="checkbox"/> Product too small |
| NB-number(s)   | <input type="checkbox"/> given         | <input type="checkbox"/> Not given         |   |
| Alert sign  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK | <input checked="" type="checkbox"/> Not applicable    |
| b) On the packaging  |  |  |   |
| CE Sign  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK |   |
| NB-number(s)   | <input type="checkbox"/> given         | <input type="checkbox"/> not given         |   |
| Alert sign  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK | <input checked="" type="checkbox"/> Not applicable    |
| c) On the accompanying documents   |  |  |   |
| CE Sign  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK |   |
| NB-number(s)   | <input type="checkbox"/> given         | <input type="checkbox"/> Not given         |   |
| Alert sign  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK | <input checked="" type="checkbox"/> Not applicable    |
| d) Overall layout of the marking   | <input type="checkbox"/> OK            | <input type="checkbox"/> not-OK            |   |

Remarks:

**A 2. Additional marking on the equipment:**

- |  |  |  |   |
|--|--|--|---|
| a) Identification (name) of the manufacturer or person responsible for the placing on the market | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK | <input checked="" type="checkbox"/> Product too small |
| b) Type  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK |   |
| c) Batch and/or serial number  | <input checked="" type="checkbox"/> OK | <input checked="" type="checkbox"/> not-OK |   |

Remarks:

**A 3 Declaration of Conformity accompanying the equipment:**

- |   |   |  |
|---|---|--|
| a) DoC in full format   | <input checked="" type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b) DoC in condensed format  | <input checked="" type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c) Other reference to Dir.99/5/EC conformity                                    | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |
| d) [If b or c is Yes] Reference to Internet or other contact point for full DoC | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |
| e) Contains all relevant information  | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |

Remarks:

**B Article 6.4 Notification**

- |                                   |                                       |                                       |                                      |
|-----------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> Required | <input type="checkbox"/> Not required | <input type="checkbox"/> Satisfactory | <input type="checkbox"/> Not checked |
|-----------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|

Remarks:

<sup>1</sup> The CE marking contains at least the initials CE and has to be followed by the four digit identification numbers of any notified bodies involved in the conformity assessment, and/or, for class 2 equipment, the alert sign.

**C Information for the user:**

**C1 Requirements for terminal equipment:**

- a) Information sufficient to identify the interfaces of public telecommunications networks where the equipment is intended to be used ☒ Yes ☒ No
- b) Intended use described ☒ Yes ☒ No
- c) Information prominently displayed ☐ Yes ☐ No

Remarks:

**C2. Requirements for radio equipment:**

- a) Information sufficient to identify the member states or geographical areas where the equipment is intended to be used
- |                             |   |  |
|-----------------------------|---|--|
| On the packaging            | <input checked="" type="checkbox"/> yes | <input checked="" type="checkbox"/> no |
| In the instructions for use | <input checked="" type="checkbox"/> yes | <input checked="" type="checkbox"/> no |
- b) Intended use described ☒ yes ☒ no
- d) Information prominently displayed ☐ Yes ☐ No

Remarks:

D Photograph(s) of the equipment [Optional]

**Part 2:**

**For equipment appearing to be placed on the market under the pre R&TTE Directive regime or taking advantage of the transitional provisions**

- 1) Mention of the national or European approval number on the apparatus ☐ Yes ☐ No
- 2) CE marking for EMC (89/336/EEC) and/or LVD (73/23/EEC) on the apparatus. ☐ Yes ☐ No
- 3) Is it subject to the R&TTE Directive post-transitional provisions ☐ Yes ☐ No

Remarks:

Any other remarks:

## **ANNEX 3**

### **GUIDANCE ON EVALUATION USED IN THE CAMPAIGN**

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ADCO14(03)18

#### **Guidance by the ADCO and RR-11**

#### **on evaluating the results of the Market Surveillance Campaign**

The joint meeting of ADCO and RR-11 considered the initial results of the Market Surveillance Campaign drawn from the available data for the moment and agreed that following guidance should be used in evaluating the data given in the electronic forms filled by the administrations.

1. All parts of the form will be used in producing statistics on the results of the campaign,
2. Only the following parts of the form will be used in the analysis of the results of the campaign
  - A1-a) “CE sign” and “Alert sign”
  - A1-b) “CE sign” and “Alert sign”
  - A1-c) “CE sign” and “Alert sign”
  - A1-d)
  - A2-a), A2-b) and A2-c); However, if the bracket for “Product too small” is marked, then the equipment under consideration will be regarded “meeting” the “additional marking requirement”
  - A3-a) and A3-b) will be considered together and if one of these two brackets is marked “Yes” then the product under consideration will be regarded “meeting” the DoC requirement
  - C1-a) and C1-b)
  - C2-a), however, since for class 1 equipment there is no need to identify the member states or geographical areas where the equipment is intended to be used, any class 1 equipment will be regarded “meeting’ the requirement for C2-a) even if the bracket ‘No’ is marked for any of or both of the items under C2-a)
  - C2-b),
3. Since these selected items are going to be used for analysis purposes, any shortcoming for any of these items encountered by the respective administration and marked “Not-OK” or “No” on the form will mean that the product under consideration “does NOT meet the essential requirements of the R&TTE Directive”, except for the cases stated above under item 2.

## **ANNEX 4**

### **EQUIPMENT CATEGORIES**

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The equipment categories used in the electronic format (Annex 2), and taken from the Commission's indicative list under Commission Decision of 6 April 2000, were as follows:

<b>Class 1</b>	<b>Class 2</b>
01 ISDN 02 PSTN 03 Leased lines 04 Wired data equipment 05 Wired interactive broadcast equipment 06 Telex 07 Receive-only radio equipment 08 Other terminal equipment attached to fixed network 09 GSM handsets 10 TETS terminal equipment 11 Land mobile earth stations in the 1.5/1.6 GHz band 12 Land mobile earth stations in the Ku band TETRA end-user equipment 14 Satellite personal communications (1.6/2.4GHz) 15 Satellite personal communications (1.9/2.1GHz) 16 Low data rate land mobile 17 Other radio equipment 18 DECT equipment 19 Non-specific SRD 40.665-40.695 MHz 20 Non-specific SRD 433.050-434.790 MHz 21 Non-specific SRD 2446.5-2475 MHz 22 Radio Local Area Networks (RLANs) 23 Inductive applications 115-119 kHz 24 Inductive applications 13.553-13.567 MHz	01 VSATs in the C-band 02 VSATs in the Ku-band 03 Satellite News Gathering earth stations 04 TETRA Direct Mode of Operation 05 TETRAPOL 06 Private Mobile Radio 07 Short Range Devices 08 Microwave links 09 Fixed radio links 10 Broadcast transmitters 11 Maritime radio equipment 12 Infrastructure equipment 13 Radio equipment in amateur radio bands

## ANNEX 5

### EXTENT OF THE STUDY

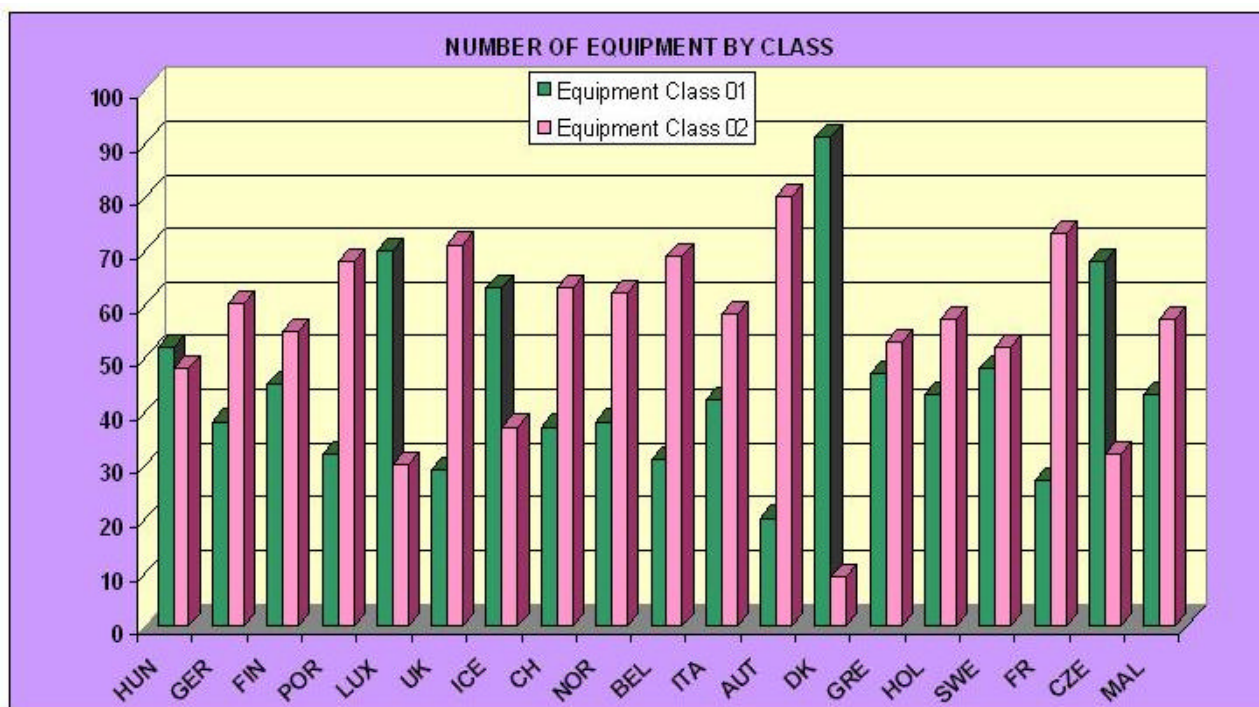
The countries participating in the study (in order of submission of initial data) were:

Hungary	Italy
Germany	Austria
Finland	Denmark
Portugal	Greece
Luxembourg	Netherlands
United Kingdom	Sweden
Iceland	France
Switzerland	Czech Republic
Norway	Malta
Belgium	

The additional relevant countries in which the requirements of the RTTE Directive apply (or will apply) are:

Cyprus  
Estonia  
Ireland  
Latvia  
Liechtenstein  
Lithuania  
Poland  
Slovak Republic  
Slovenia  
Spain

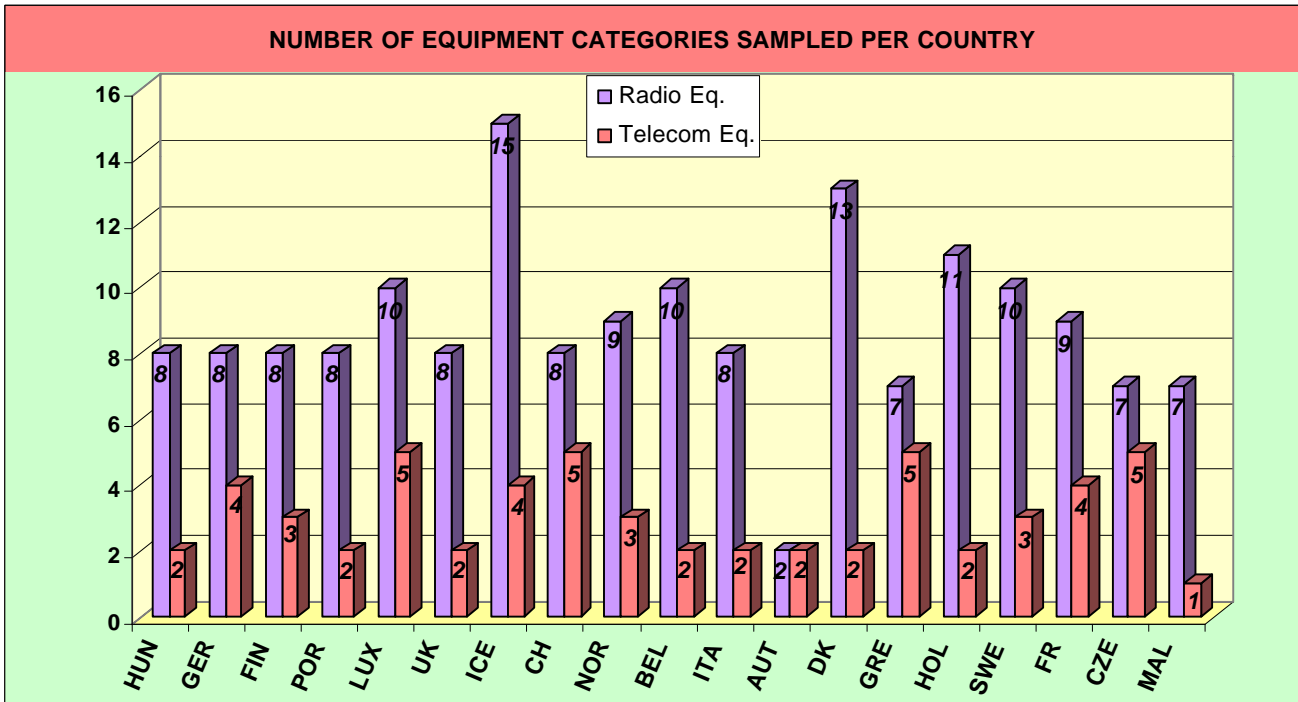
The equipment investigated was split between classes 1 and 2 under the responsibility of the participating countries, as shown in Figure 1 below.



**Annex 5, Figure 1: Number of equipments by class**

Equipment class 1 can move freely throughout the relevant countries, and includes all TTE and radio receive-only equipment, as well as certain categories of radio equipment.

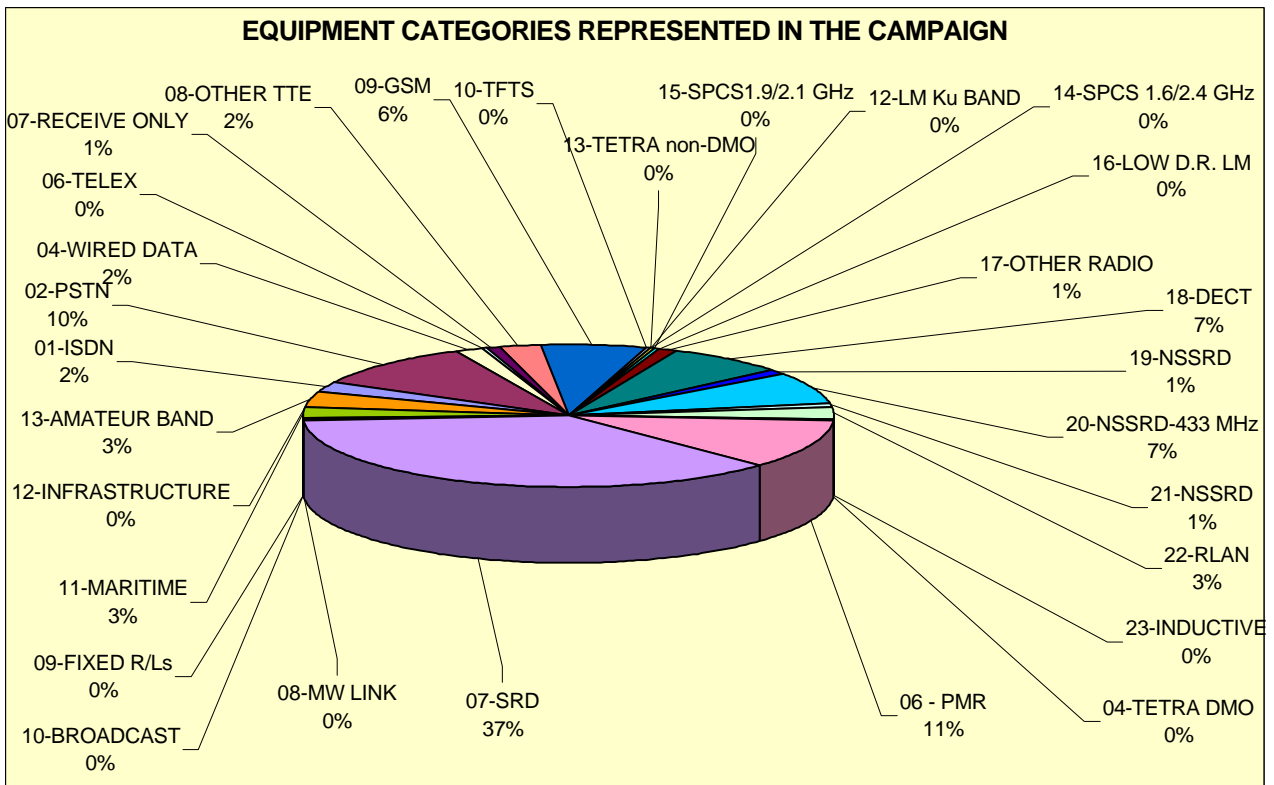
There was also a broad coverage of number of types of equipment sampled per country, as shown in Figure 2 below:



**Annex 5, Figure 2: Number of equipment categories sampled per country**

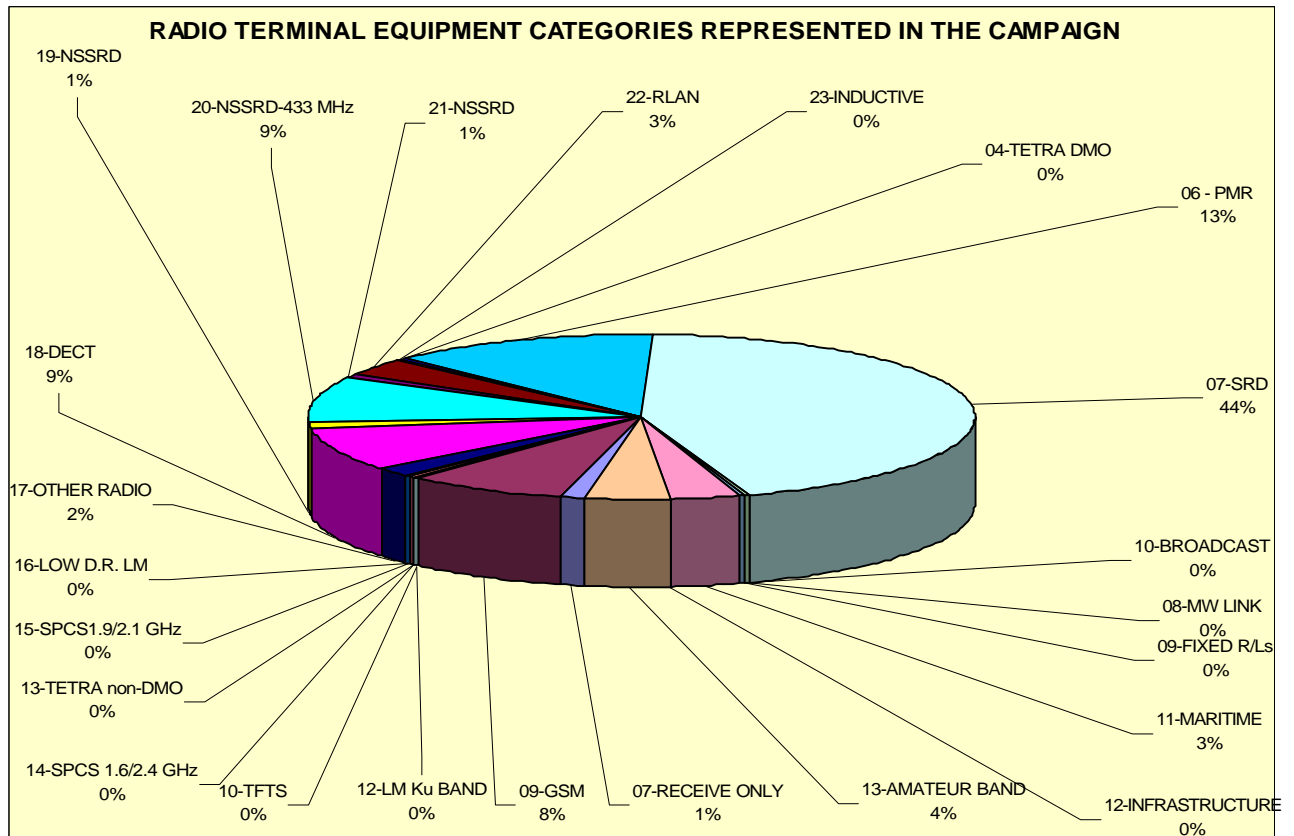
This chart shows that generally there has been a broad sampling of equipment types.

The specific equipment categories sampled are shown in the following three charts:



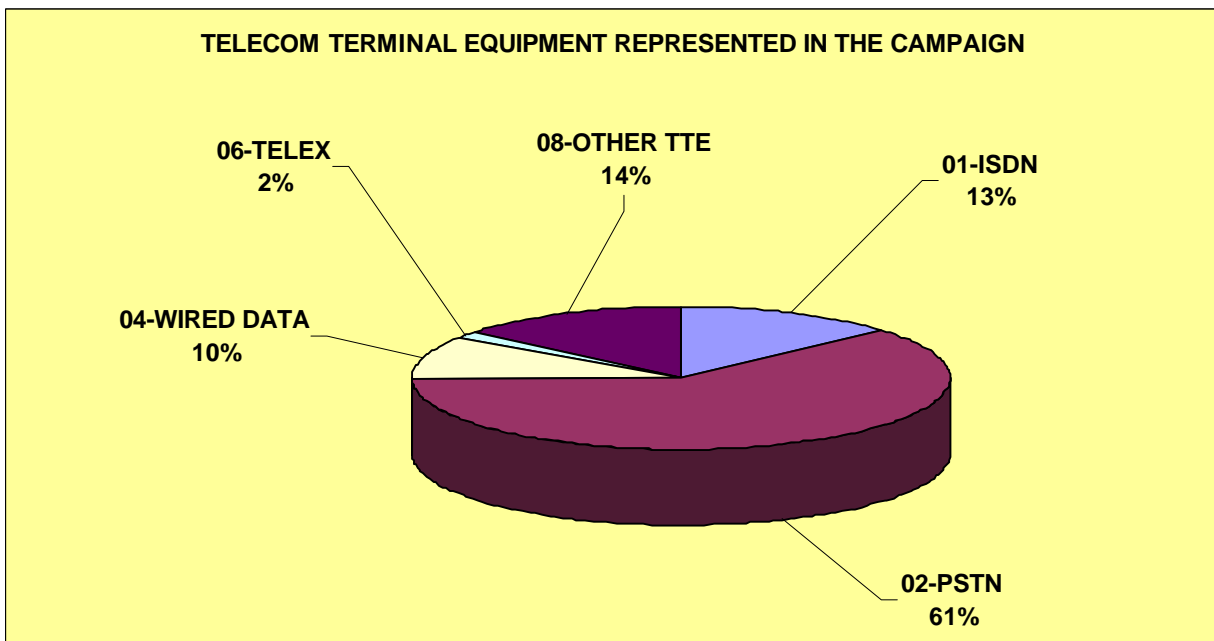
**Annex 5, Figure 3: Equipment categories represented in the campaign**

This chart shows that equipments from 29 categories were included in the campaign, out of a total of 37 categories defined in the Indicative list under Commission Decision of 6 April 2000 (see Annex 4). Percentages shown as 0% are due to rounding off.



**Annex 5, Figure 4: Radio equipment categories represented in the campaign**

This chart shows the proportion of radio equipments surveyed falling in each category (see Annex 4 for list of categories)



**Annex 5, Figure 5: Telecom Terminal Equipment categories represented in the campaign**

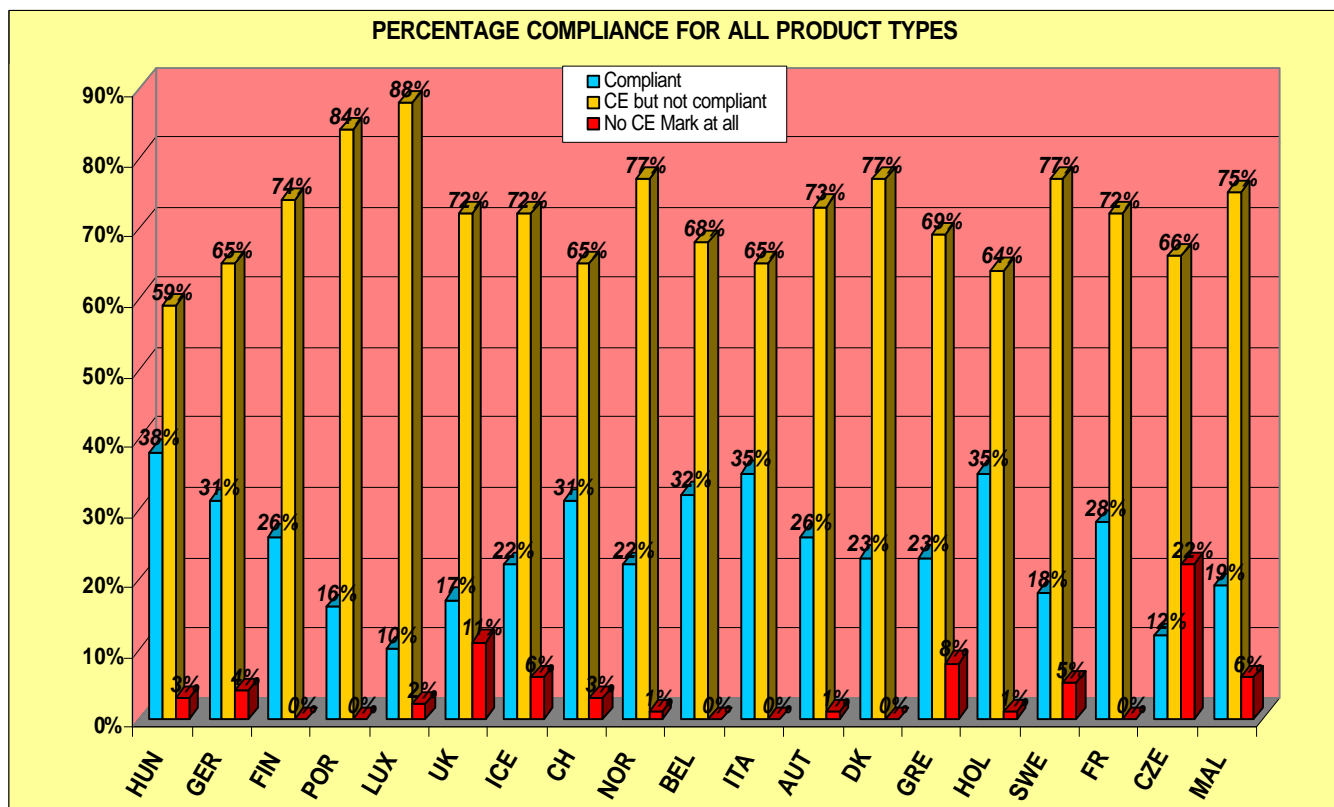
This chart shows the proportion of telecom terminal equipment surveyed falling in each category (see Annex 4 for list of categories).

## ANNEX 6

### OVERALL COMPLIANCE ANALYSIS

This Annex analyses the compliance of equipments **overall** - ie. only equipment placed on the market under previous approval regimes is excluded from the analysis.

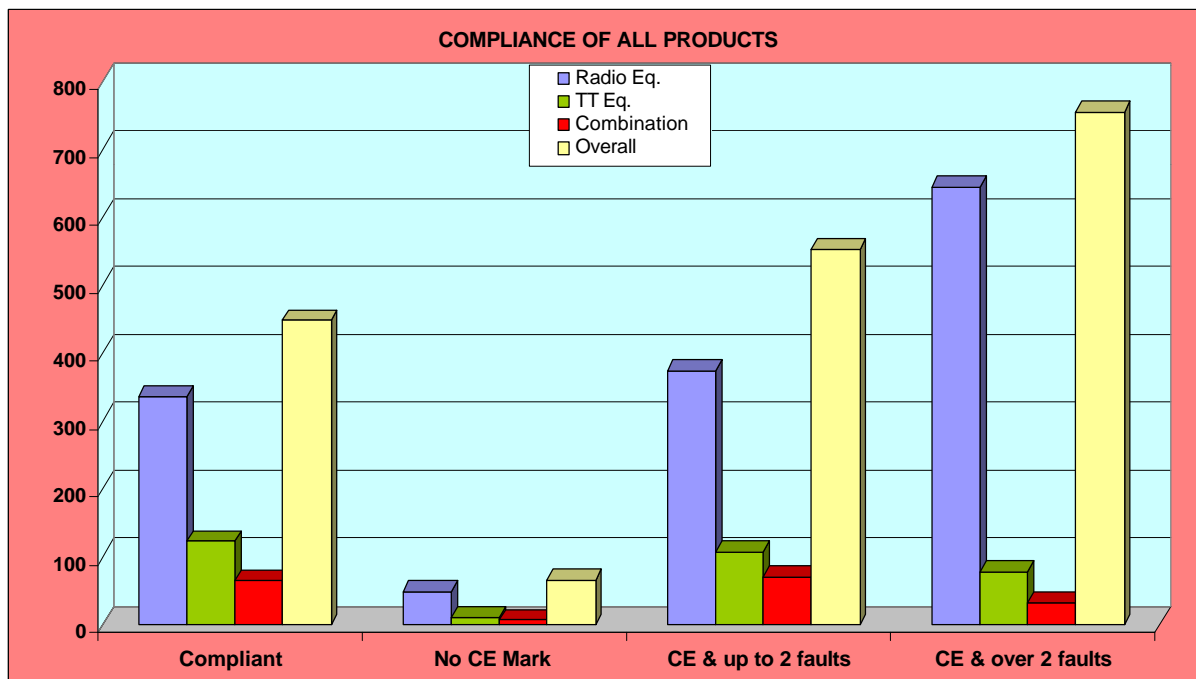
Levels of compliance found in the participating countries were as shown below:



**Annex 6, Figure 1: Percentage compliance for all product types**

This figure shows that all countries reported a small proportion of products with no CE marking, a larger proportion of products fully compliant with the administrative requirements (varying between 10% and 38%), but the greatest proportion of products having at least one "CE" mark, but failing to fully comply.

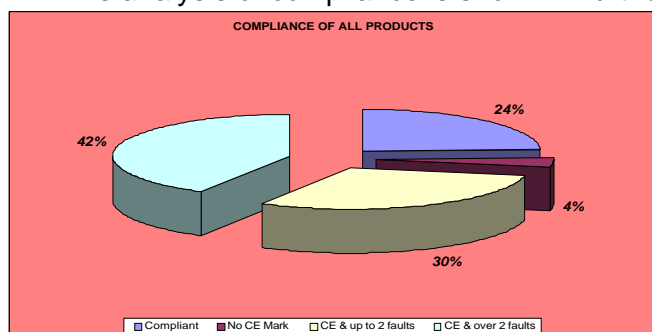
For convenience, a division has been shown between CE marked equipments failing through up to 2 faults, or over 2 faults, as in the following chart:



**Annex 6, Figure 2: compliance of all products**

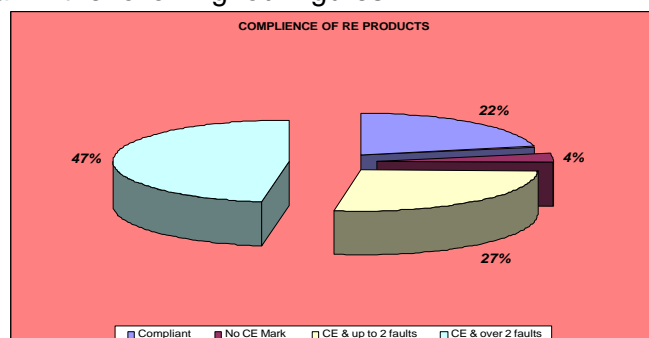
This chart is shown in terms of number of equipments surveyed. Radio equipment has a higher proportion of equipment with over 2 faults.

This analysis of compliance is shown in further detail in the following four figures:



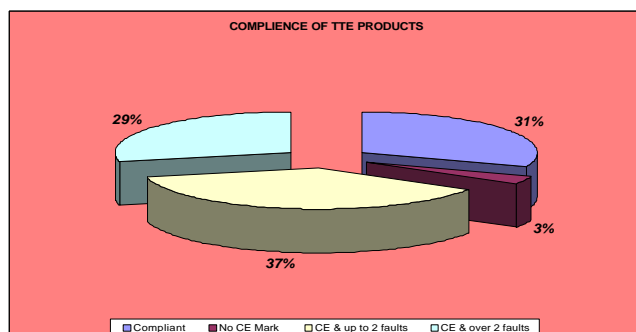
**Annex 6, Figure 3: compliance of all products**

Shows 4% with no "CE" mark, and 24% average compliance



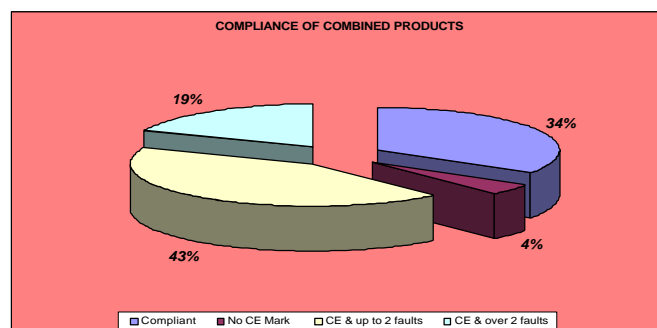
**Annex 6, Figure 4: compliance of RE products**

Shows similar proportions to the previous figure



**Annex 6, Figure 5: compliance of TTE products**

Shows higher average compliance



**Annex 6, Figure 6: compliance of combined products**

Shows higher average compliance, as in the previous figure (for TTE)