

This is an English translation.

The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi), is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.

ACT

on Product Safety and Official Market Control

No. 134 of 22 December 1995

CHAPTER I

Scope

Article 1

This Act covers goods traded in Iceland for professional purposes or exported to other Member States of the European Economic Area. This Act also covers the provision of services in connection with the exchange of goods. This Act applies equally to products offered for consideration or not.

However, this Act shall not apply to second-hand products supplied as antiques or as products to be repaired or reconditioned prior to being used, provided that the recipient is clearly informed of this before the business transaction takes place or is aware of it.

The provisions of this Act apply to products offered to consumers but neither to products nor services almost entirely produced or processed with further production in mind or for entrepreneurial purposes.

This Act does not cover products subject to special laws or regulations on product safety, such as legislation on the safety of foodstuffs, medicinal and toxic products and dangerous substances, and the business activities of persons or bodies operating in accordance with such legislation. Where the provisions of these separate Acts are insufficient or not as strict as the provisions of Chapters IV and V of this Act, the provisions of these Chapters shall apply.

## Article 2

Producers may only market safe products.

Products intended for sale, rent and any other deliverance for commercial purposes, shall be designed in such a way that they meet the requirements which are, for reasons of public interest, provided for in laws and regulations or standards on safety and the protection of health and the environment.

With official market control an effort is made to ensure that products on the market comply with the relevant rules in force.

## CHAPTER II

### Definitions

#### The Concept of the Product

##### Article 3

For the purposes of this Act product shall mean any movable property, such as all manufactured products and raw materials. A movable property which has been incorporated in another movable property is also considered a product.

#### Producer and Distributor

##### Article 4

Producer shall mean the manufacturer of a finished product or a component part of a product or the producer of any raw material or a person who processes or acquires products from natural sources, provided that he is established in the European Economic Area. Producer shall also mean any other person who puts his name, trade mark or other distinctive mark on the product, or the person who reconditions the product. When the manufacturer is not established in the European Economic Area, his representative shall be considered as producer. When neither the manufacturer nor his representative are established in the European Economic Area the importer shall be considered as producer. Other professionals in the supply chain are also considered producers in so far as their activity may affect the safety properties of a marketed product.

Distributor shall mean any professional in the supply chain whose activity does not affect the safety properties of a product.

Official Market Control and Market Surveillance

## Article 5

Official market control shall mean the organized efforts of the government to ensure that products on the market comply with regulations on safety and the protection of health and the environment. Official market control is divided into market surveillance and administrative action which have as their object the enforcement of regulations on product safety.

Market surveillance shall mean the organized supervision of products on the market. Market surveillance is divided into product inspection on the one hand and, on the other hand, an organized gathering of information on products on the market, *inter alia* by receiving information concerning products which are considered dangerous. Product inspection shall mean the examination of a product and determination as to whether it meets special or general requirements relating to it.

Surveillance Authority

## Article 6

Surveillance authority, according to the provisions of this