

Results of the market surveillance of electrical and ICT equipment in Luxembourg

This web site provides fairly reassuring results for consumers: the declaration of conformity was found available on request for 86% of products controlled in large retail stores. As regards imported goods checked at the Customs centre of Luxembourg-Howald, 32% were not granted access to the Luxembourg territory.

http://www.see.etat.lu/surveillance/rapport_activite.htm

In the Press...

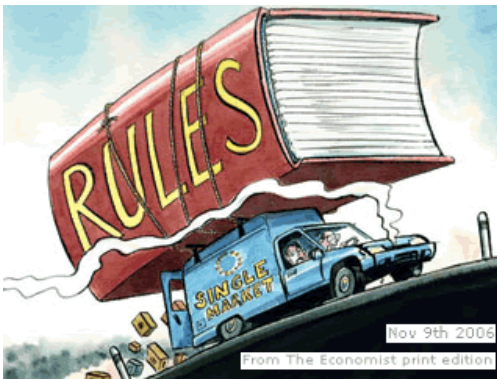


09-11-2006 - *The Economist* reflects on changing attitudes

towards Europe's single market, whose enforcement is perhaps the most visible thing that the union does. It explains British vision focused on the removal of barriers to trade as opposed to those of many continental Europeans, who consider that "the single market is not about free but about 'fair' trade. Indeed, it is not primarily about trade at all, but rather about regulation and integration. (...) As a step towards closer political union, the single market is not meant to be a competitive, deregulated one, but one that is united by regulatory standards and common levels of social protection."

Referring to the draft REACH regulation on chemicals, which is about to be approved by the European Parliament and the Council, the article points at the "slew of costly new rules" that this "monster" will impose on the industry. Having just gone through the painful transposition and application of the WEEE (electro-waste) and RoHS (Restriction of Hazardous Substances) Directives, it is clearly even more important with REACH to ensure that manufacturers will stay on an equal footing within the EU, whether they operate in a Member State or outside the EU. Will market surveillance authorities be ready for the REACH "behemoth"?

http://www.economist.com/world/europe/displaystory.cfm?story_id=8134936



13-11-2006 - EU-funded market surveillance programme in Malta enters phase two - A €749,000

project aimed at enhancing market surveillance, with particular regard to product safety, this week entered the second out of five "twinning-light agreement" programmes, which will focus primarily on technical assistance to the chemical sector. Austrian ambassador to Malta Elisabeth Kehrer said the idea was to transfer expertise from older EU member states in the implementation of EU directives. Dr Kehrer said it is not just technical experiences but it gives the Maltese a new outlook on their standards.

More: <http://www.independent.com.mt/news.asp?newsitemid=40977>

Links & Resources.....

UK policy on enforcement of European product safety regulations – November 2003

The 8-page publication drafted by *Richard Lawson and Dr Les Whalley* is not recent (2003) but explains clearly how independence, impartiality and confidentiality are ensured under the responsibility of UK public authorities in order to enforce policy in relation to our obligations under New Approach Directives. It recalls that it is an offence to place on the market or put into service products that do not comply with the relevant requirements. Such failures are consequently sanctioned by a fine of up to £5,000, or a term of imprisonment of up to six months, or both. The publication describes the monitoring of products and concludes with some hints on indicators of success.

More: <http://www.dti.gov.uk/files/file11511.pdf>

EU market survey Medical devices and medical disposables

This document covers the EU market, specifically the markets in Belgium, France, Germany, Italy, The Netherlands, Spain and the United Kingdom, with respect to medical devices and medical disposables. Information on market size (consumption, production and trade), distribution and prices is provided. Special attention is paid to opportunities for exporters from developing countries. Additionally, one can find further information on export marketing guidelines and sources for more information. Publication date: September, 2005

More: <http://www.cbi.nl/marketinfo/cbi/?action=showDetails&id=680>



ORGALIME

FairIndustry.eu

Newsletter On Market Surveillance For Better And Safer Trade In Europe

Editorial & Opinion



Public Information Campaigns: Wise Choices? By Maria Sandqvist, Teknikforetagen (SE), chair of Orgalime Task Force on the New Approach & Market Surveillance

Engineering industry manufacturers have steadily advocated the need for public information campaigns in order to help consumers and professional end-users to be more literate about the meaning of the CE marking and the role of other symbols, such as those introduced over the past few years on energy efficiency labelling for fridges and washing machines, or the newly introduced "crossed-out wheelie bin" which indicates separate collection for electrical and electronic equipment in the context of the application of the WEEE Directive.

We were therefore quite positive at learning the news that the European Commission funded such an initiative to inform young people (between 15 and 18) of their rights and "enable them to make more informed decisions as consumers". Over a million copies in 20 languages have been distributed in "more than 7.112" schools. This would have been good, if the 2006/2007 edition would not have included the blunder that associates the CE-logo with quality aspects. Furthermore it presented the existing New Approach legislation which enables the self-declaration of conformity by manufacturers without "tests" or "approvals" by authorities as a "problem". Hopefully young people will continue to trust that they can buy a product with the CE marking on it without endangering their own lives. What is more surprising however, is to find in a schoolbook-like publication sentences which seem to belong more to a lobbying position paper, such as: "Abolishing [the CE marking] is clearly an option which deserves proper debate" or "The timing is opportune to ask the question whether the CE marking needs to be maintained".

Apparently, the European Commission changed its mind, we believe for the good, since it now makes plans to give the CE marking the legal status of a European collective mark, within the context of the revision of the New Approach?

"The European Diary - Wise Choices?" (see p18 of the pdf English edition):

http://ec.europa.eu/consumers/cons_info/consumer_diary_en.htm

EC Web site on the review of the New Approach:

http://ec.europa.eu/enterprise/newapproach/review_en.htm

Edition 2/2006



**The WEEE Man
Stands 7
Meters
High &
Weighs
3.3
Tonnes!**

**(The
average
EEE waste
per human
lifetime)**

In this edition:

- Bulgaria and Romania will enter EU's top ten most active countries in container port trafficking
- The cost of monitoring the safety of non-food products
- EU-China co-operate on illegal trade
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What Industry Says



The Dutch Centre for the promotion of imports from developing countries has drawn our attention to a recent initiative.

On the first January 2007 Bulgaria and Romania will enter EU's top ten most active countries in container port trafficking, although their (Bulgaria and Romania) port traffic activity will only amount to 1.5% of the total EU port traffic. 90% of EU container traffic (2.6 billion containers/year) is run by the

ports from just 5 countries: Germany (34%), Italy (19%), UK (17%), Spain (12%) and France (8%).

At the same time 3 containers out of 4 worldwide are moved to or from Chinese ports. Customs and market surveillance activities would be well advised to concentrate their efforts on the surveillance of container traffics in Hamburg, Rotterdam, London, Le Havre, Barcelona, Marseille, Genova, Venice!

Container traffic in million units/year per country

Germany	866
Italy	487
United Kingdom	422
Spain	302
France	212
Netherlands	116
Belgium	68
Romania	31
Greece	21
Bulgaria	11

What the Institutions Say

The cost of monitoring the safety of non-food products

A Report from the Commission to the European Parliament and the Council on the implementation of Community actions (in support of consumer policy 2004-2005 as established by Decision 20/2004/EC), has highlighted the associated costs involved.

In particular, funds were allocated to the development of an IT application for use by producers and distributors to fulfil their obligation to notify dangerous products to national surveillance authorities as required by the Directive. The basic application was tested in early 2006 and is expected to become fully operational by the end of the year. Workshops with RAPEX contact points in November 2004 discussed the guidelines for notification of dangerous products. Expenditure in this area added up to €376.850. Other costs include:

- An inventory and comparative analysis of national measures transposing Directive 2001/95/EC on General Product Safety - cost €200.000.
- A study to develop options and create a prototype for an information exchange IT system between national authorities - cost €207.345.
- In March 2005, a conference with Member States discussed the programming of market surveillance activities - cost €125.000.
- An expert meeting in August 2005 discussed options for improving the Injury Database - cost €6.000.
- A feasibility study was subsequently launched - cost €100.000.
- Technical assessments on product safety standard development (child-resistant lighters, child safety gates and ladders - cost €48.000.
- A further €70.000 was committed for IT support to the RAPEX system.

http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2006/com2006_0193en01.pdf

EU-China co-operate on illegal trade

19-09-2006 Commission pushes forward co-operation with China on food and product safety. European Health and Consumer Protection Commissioner Markos Kyprianou, and People's Republic of China Minister Li Changjiang, in charge of AQSIQ (Administration for Quality Supervision, Inspection and Quarantine) signed a "Roadmap for safer toys". The agreement aims at ensuring toys imported into the EU are safe. Commissioner Kyprianou and Minister Li Changjiang also signed an agreement to fight the trade of "illegal food products", based on a better exchange of information and enhanced co-ordination. EU and Chinese officials also held a joint seminar on market surveillance for industrial products, to properly enforce product safety legislation.

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/06/1210&format=HTML&aged=0&language=EN>

E-MARS: another newsletter on market surveillance

Hot on the heels of our very own FairIndustry.eu, the European Commission's DG Sanco is pleased to announce the launch of a it's new publication: E-MARS ("Enhancing Market Surveillance through Best Practice"). The project (managed by Prosafe) is designed to ensure that each participating market surveillance organization from within any of the Member States, in particular those with very limited human and financial resources, do not need to re-invent the wheel, but are able to utilize and share existing expertise and experiences so as to build lasting and effective market surveillance procedures in the area of consumer products.

Market Surveillance Council in Sweden – a good example

With a view to strengthening market surveillance in Sweden the government has adopted a new regulation on market surveillance. One of the positive changes is the strengthening of the Market Surveillance Council in Sweden. It's compulsory for market surveillance authorities to participate in the Market Surveillance Council. The role of the Market Surveillance council is to co-ordinate horizontally, to be a forum for exchange between sectors, support co-operation between authorities and to consult with industry and consumer organisations. The Council shall also elaborate an action plan on common activities. Teknikföretagen as an industrial association participates in two of the Council's four meetings per year. The establishment of the Market Surveillance Council will strengthen the co-operation between national market surveillance authorities which is something industry has asked for.

[http://www.swedac.se/sdd/System.nsf/\(GUIview\)/index_eng.html](http://www.swedac.se/sdd/System.nsf/(GUIview)/index_eng.html)

Around Europe.....

RFID: A new technology for customs control and market surveillance purposes

RFID (Radio-Frequency IDentification) technology is currently developing rapidly from the research lab to mass applications in a manner similar to that of mobile phones in the 1990s. At a time when traceability has become a key issue for the application and the enforcement of EU product legislation, RFID arrives at the right time for enabling the tracking of mass product imports and shipments across the EU.



The European Commission (DG INFSO) last summer organised an online public consultation on future RFID policy. Regarding the idea of pursuing concerted efforts at a European level to achieve harmonization of certain areas, two main areas are cited:

- Inter-modal transport systems, container and shipment tracking systems
- The identification and tracking requirements of pharmaceutical products in different EU Member States

An open question on counterfeiting received answers from about half of the respondents who were generally of the opinion that *the European Commission should support measures* to reduce counterfeiting.

It is plain to see that RFID could also be deployed for the tracking of stolen goods by the police, for easier and more reliable customs control and eventually for improving the traceability of non-compliant or counterfeit products. The European Commission (DG INFSO) advocates that governments take an active role in promoting the use of the RFID technology. It claims this could stimulate national governments to act as a launch platform, whilst also involving small and medium-sized enterprises (SMEs) in their procurement efforts.

Consultation's preliminary results: http://www.rfidconsultation.eu/docs/ficheiros/Summary_of_Consultation.pdf

Belgium: Public Information Campaign

Following on from the editorial, national authorities seem to have failed to grasp the opportunity to clarify the meaning of the CE marking. The Belgian government made the wise choice to launch a civil security campaign aimed at alerting the general public on electrical risks with a catchy title: "Risques électriques ? Soyez au courant !" (electrical risks? Keep wired!) with the commendable intention to raise public awareness on the most frequent causes of accidents (overloading of wires and sockets, short-circuit due to badly insulated cables, etc.) and to provide advice on how to avoid accidents. However, this information campaign includes a surprising shortcut to bring its message across: Belgian citizens are advised to use only "approved material" that is "identifiable by BOSEC, CESEC, CE" labels. Well if national authorities place themselves at the same level as private notified bodies' approval marks, how could they hope to clarify to consumers the meaning of a symbol of conformity to EU legislation? It seems that there is a wise choice that European and national authorities could make: reinforce market surveillance and border controls in order to limit attempts by rogue market operators to abusing the system.

Belgium: open list of banned electro-technical products

The Web portal of The Belgian Federal Public Economic Service – General Direction Energy, responsible for the market surveillance of electro-technical products, discloses information on products found unsafe and which have been banned from the market: http://www.mineco.fgov.be/organization_market/forbidden_instruments/home_fr.htm