Market Surveillance Definitions

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The Project

• Title: Common definitions and terminology in Market Surveillance
• Current Draft: ECE/TRADE/C/WP.6/2010/17 dated 17 August 2010
• Scope: Market surveillance and post-market surveillance of non-food products
The Objective

• To provide a global, harmonized set of terms and definitions to be used as a reference when drafting regulations and standards with respect to the surveillance of non-food products placed on the market

• To be compatible with the WTO/TBT Agreement, the European Regulation 765/2008 and ISO Guides and Standards
Commentors

• Delegation of Belarus
• Mr. Ivan Hendrix
• Swedish Work Environment Agency
Main issues raised

• ‘manufacturer’ vs. ‘producer’
• Concept of ‘authorized representative’
• Concept of ‘safe product’
‘manufacturer’ vs. ‘producer’

• Different terms are in use with definitions containing various characteristics.

• Suggested global term: ‘manufacturer’ (delete “producer”)

• Concept of manufacturer: person responsible for the design and production of the product.
‘authorized representative’

• Suggested definition does not exclude any tasks that may be mandated by the manufacturer

• Sometimes, responsibility for conformity to product requirements may not be mandated

• Note to the definition for clarification of possible sectoral differences
‘safe product’

- Two concepts are in use for ‘safe product’:
  - a product that complies with relevant legal (safety) requirements, and
  - A product that does not present a risk (or only minimal risk)
- The global definition should describe the latter concept
New terms suggested

• “adultered product”
• “counterfeit product”
Next steps suggested

• New draft for circulation to WP.6
  – February 2011

• Deadline for comments
  – 1 July 2011

• Final version for circulation to WP.6
  – September 2011

• Adoption by the 21st Session of WP.6