COORDINATION OF MARKET SURVEILLANCE IN SWEDEN

Amina Makboul
Legal Department
Swedac
Overview

• About Swedac
  - Our different roles
  - International development projects and courses

• Coordination of market surveillance
  - Legal basis
  - Market Surveillance Council
  - Cooperation with Customs
Swedac

The national accreditation body and a public authority responsible to:

Ministry for Foreign Affairs

Ministry of Enterprise, Energy and Communications

Minister of Trade, Ewa Björling
Swedac’s roles

**National Accreditation body:**
- Accreditation

**Governmental Authority for:**
- Conformity assessment procedures
- Coordination of market surveillance
- Legal metrology and precious metals
- Notification of notified bodies
- International development cooperation
International development projects

Swedac supports countries in their work to achieve infrastructure for conformity assessment.

The projects are financed by Sida, the World Bank and others.

- Agadir project
- UNIDO project in Iraq
Courses in the field of quality infrastructure in support for world trade

Since 2013 the European system for market surveillance has been included in the TBT MENA courses.

- Agreements on Conformity Assessment and Acceptance of Industrial Products (ACAAs)
- FTA agreements
The internal market

"The market surveillance map"
Coordination of Market Surveillance in Sweden
Legislation

• Regulation (2005:893) on market surveillance
  - general principles for market surveillance and cooperation
  - Market Surveillance Council

• Regulation (2009:52) complements EU Regulation 764/2008 on mutual recognition

• EU Regulation 765/2008 on accreditation and market surveillance (TBC)

• Product Safety Act (2004:451), implementation of GPSD

• Sectoral legislation, implementing EU product directives
Organisation

- 15 MSA appointed by Government
- Cooperation in the Market Surveillance Council
- Swedac responsible for national coordination and national contact point for horizontal market surveillance issues
- Swedish Consumer Agency responsible for coordination under the Product Safety Act (GPSD)
- The National Board of Trade responsible for coordination under EU Regulation 764/2008
Role of Swedac

- Holds the chairmanship and the secretariat of the Market Surveillance Council
- Administrates ICSMS
- Represents Sweden in working groups on European and global levels
Representatives from sector authorities, Customs and the National Board of Trade

Observers from the Ministry for Foreign Affairs and the Ministry for Justice

Regular contacts with industry and consumer organisations

Forum for cooperation and exchange of experiences

Disseminate information to the public and industry
## The Market Surveillance Council (2)

### Market surveillance authority
- The Swedish Work Environment Authority
- The National Board of Housing, Building and Planning
- The National Electrical Safety Board
- The Chemicals Inspectorate
- The Energy Agency
- The Consumer Agency
- The Medical Products Agency
- The Swedish Transport Agency
- The Post and Telecom Agency
- The Radio and TV Authority
- The Civil Contingencies Agency
- The Inspectorate for health and welfare
- The Tax Agency
- The Environmental Protection Agency
- Swedac

### Product categories
- machinery, PPE (professional use), pressure equipment, ATEX
- construction products, lifts, hot water boilers, cable ways
- electrical products, EMC, toys
- chemicals, RoHS, toys
- energy efficiency, eco-design
- GPSD, toys, PPE (private use)
- medical devices, pharmaceuticals, cosmetics
- railway systems, marine equipment, motor vehicles
- radio and telecommunications terminal equipment
- electronic communications networks and services
- explosives, gas appliances, transportable pressure equipment, pyrotechnical articles
- inspection of health care institutions
- cashier registers
- waste electrical and electronic equipment (WEEE)
- measuring instruments and precious metals
The Market Surveillance Council (3)

- A national market surveillance plan
- 4-5 meetings/year
- Temporary working groups
- Permanent forum for customs related issues
- Seminars
- Common website
Market Surveillance Council

En giftfri miljö
Kemiinspektionen
02 april 2014

www.marknadskontroll.se

Revised guidelines to EU product legislation

The Blue Guide provides guidance to EU product legislation which is based on the legislative method called the New Approach or the New Legislative Framework for the marketing of products (NLF). Common elements of this type of legislation are accreditation, different procedures or modules for conformity assessment, notified bodies, CE marking and market surveillance.

This is the first revision of the guidelines since the publication of the first edition in 2000. Since then, the goods package have been adopted, i.e. EU Regulation 765/2008 on accreditation and market surveillance and EU decision 768/2008 on a common framework for the marketing of products. The guidelines have been considered very important in the interpretation and enforcement of existing legislation and are widely referred to.
A system for exchange of information
National market surveillance plan for 2014

• Draw up guidelines for results reporting and market analysis

• The authorities shall inform about the ongoing work in AdCo groups

• Organise special meetings/seminars
  - for the members of the parliamentary committee on industry and trade
  - for politicians and the public with DGs from MSAs
  - for government officials
  - for the business sector about the regulatory framework for products in 2015
Seminar “Your product, your responsibility”, April 2013

About 120 business representatives

Different roles and responsibilities of economic operators

Product directives (machinery, gas appliances and construction products)

Business presentation

6 steps to CE-marking

Role of Customs

Panel discussion & market place
Cooperation between the MSA:s and Customs
Regulation 765/2008 – external border control

- National authorities shall carry out checks on products
- Suspension of a product for free circulation
- Cooperation between MSAs and Customs
Request for a planned control operation

Planerad kontrolloperation - förfrågan till Tullverket

Denna blankett ska användas vid förfrågan från marknadskontrolmyndigheterna till Tullverket avsende en av marknadskontrolmyndighet planerad kontrolloperation. Den skickas med e-post till tullverket@tullverket.se med anniemärkning Produktssäkerhet – planerad kontrolloperation

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**Risk/Hotbild**

[beskrivning av risk]

**Regelverk**

Europeparlamentets och rådets förordning (EG) nr 765/2008 om krav för ackreditering och marknadskontroll i samband med saluföring av produkter och upphavande av förordning (EEG) nr 339/93

[sektorslagstiftning]

**Bakgrundsbeskrivning och målsättning med projektet**

[beskrivning av bakgrund till projektet, om projektet ingår i ett större sammanhang, t.ex. i ett europeiskt samarbetsprojekt, samt målsättning]

**Tidsperiod**

[uppskattad tidsperiod för projektet]

**Selektering/varuundersökning/dokumentkontroll**

[kriterier för urval]

**Deltagare och (om så är fallet) deltagna MS**

[antal deltagare från marknadskontrolmyndigheterna (namn, telnr och e-postadress) och om MS endast vilka det är]

**Uppföljning**

[beskrivning av uppföljning, t.ex. återkoppling till Tullverket, rapportering till andra huvudman, planering för uppföljande projekt]

7 Swedish importers were selected – follow up from previous controls in 2012

Customs found 9 matches and 33 samples were subject to further investigation.

Result lack of safety information in 3 cases and sales ban + suspension for free circulation in 2 cases.
Thank you!

Merci!

Gracias!

谢谢

спасибо

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