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Item 8 (a) of the provisional agenda

**Market surveillance: updates from
regional groupings and the Advisory Group
on Market Surveillance ("MARS" Group)**

List of market surveillance authorities in UNECE member States with their respective competences

Note by the secretariat¹

Summary

This document presents information about market surveillance authorities, their competences and relevant laws guiding their action. In gathering the information, the WP.6 secretariat cooperated with the European Commission and the Secretariat of Euroasian Interstate Council (EASC).

The WP.6 secretariat has prepared a proposal for a database, which could be accessed by country, sector, authority and regulatory instrument. Developing the database will require extrabudgetary resources and national market surveillance authorities from all Member States of the United Nations will need to be involved. At the current session, the WP.6 secretariat will present a prototype database to illustrate the challenges involved. Although the prototype only contains information on a limited number of countries, it could be expanded if extra resources were to be made available.

This document is submitted to the Working Party for discussion and decision.

¹ At its nineteenth session, the Working Party asked the delegations to provide the secretariat with contact information of market surveillance authorities so that the secretariat could compile a compendium and post it on the website (ECE/TRADE/C/WP.6/2009/19, para. 52).

I. Status of the project

A. Discussions at the 2009 annual session

1. At its nineteenth session, the Working Party asked the delegations to provide the secretariat with contact information of market surveillance authorities for the purpose of compiling a compendium that would be posted on the website. The Secretariat of the Euroasian Interstate Council (EASC) and the European Commission agreed to work with the WP.6 secretariat on this project.

B. Gathering information on market surveillance

2. The secretariat has obtained information from numerous market surveillance authorities on their competences, the products they monitor, and the legislative references they follow. The secretariat has also used data from the website of the European Commission.

C. Results

3. Data are available for the following 35 countries: Armenia, Austria, Belarus, Belgium, Brazil, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine and United Kingdom.

4. The information provided by market surveillance authorities generally covers:

- Name and contact information of the authority (and contact person)
- List of products, and the types of product or the sector the authority monitors
- Legislative references.

5. However, sometimes the data omit any mention of the sector monitored or the legislative references used. The classification of products can also vary from one country to another. Therefore, to maintain some sort of international correspondence, the categories have deliberately been kept broad.

6. A sample of the data is contained in the annex. The complete dataset is available at www.unece.org/trade/wp6/AreasOfWork/MarketSurveillance/Contacts.html.

II. Proposal for a database on market surveillance authorities

A. Concept

7. The objective of the proposed database is to enable users to browse information and to make queries by country, sector, authority, legislative reference and product.

8. The database would be hosted on the website of the Working Party. It would be updated regularly in collaboration with the market surveillance authorities of all Member States of the United Nations.

B. Example

9. With such a database, exporters seeking information on a specific product or sector would have instant access to the most up-to-date information for every country. The database would also be useful to national market surveillance authorities for exchanging information with their counterparts.

C. Potential challenges

10. What creating the database would mean:

(a) Collaboration of member States: to serve as a reference tool for users, the database would have to be up to date. This would require a strong commitment from Member States to reporting all relevant changes and developments.

(b) Definitions and typologies: it could prove difficult to classify information into defined categories and matching categories across different countries.

11. These challenges would need to be discussed and addressed by the MARS Group, and by the market surveillance authorities of all the Member States of the United Nations, including through regular virtual meetings or webinars. Extrabudgetary funds for physical meetings would be needed.

12. Once clear and consistent categories have been defined for authorities, sectors and products, developing the database would require at least two months of work, which would also require extrabudgetary resources.

Annex

Information on market surveillance authorities from selected countries

1. Brazil

<i>No.</i>	<i>Sector</i>	<i>Legislative act</i>	<i>Authority in charge</i>	<i>Contact</i>
1	Products and services	Law no.9933/1999	INMETRO http://www.inmetro.gov.br/	João Alziro Herz da Jornada presi@inmetro.gov.br
2	Food, drink, meat, animal feed	Law no. 0863/2003	Ministry of Agriculture http://www.agricultura.gov.br/	Wagner Gonçalves Rossi gm@agricultura.gov.br
3	Construction products	Law no. 10863/2003	Ministry of Cities http://www.cidades.gov.br/	Márcio Fontes de Almeida cidades@cidades.gov.br
4	Telecommunications	Law no. 9472/1997	ANATEL http://www.anatel.gov.br/	Ronaldo Mota Sardenberg
5	Educational material and educational services	Decree n.6320/2007	Ministry of Education http://portal.mec.gov.br	Leonardo Osvaldo Barchini Rosai@mec.gov.br
6	Individual protection equipment and work regulations	Decree no.6341/2008	Ministry of Labour and Employment http://www.mte.gov.br/	Carlos Luppi
7	Preservation and maintenance of natural resources	Law no.7735/1989	IBAMA – Brazilian Institute of Environment and Natural Renewable	Abelardo Bayma Azevedo presid.sede@ibama.gov.br

<i>No.</i>	<i>Sector</i>	<i>Legislative act</i>	<i>Authority in charge</i>	<i>Contact</i>
			Resources http://www.ibama.gov.br/	
8	Motor vehicles and traffic	Law no. 9503/1997	DENATRAN – National Traffic Department http://www.denatran.gov.br	Alfredo Peres da Silva denatran@ciudades.gov.br
12	Coordination of recalls of products / Consumer defence	Law no. 8078/1990	Ministry of Justice http://portal.mj.gov.br/dpdc/	Luiz Paulo Barreto
13	Petroleum and derivatives, natural gas and biofuels	Decree no. 2455/1998	ANP – Petroleum, Natural Gas and Biofuel National Agency http://www.anp.gov.br	Haroldo Borges Rodrigues Lima
14	Food, cosmetics, medicine, cleaning products, health products, tobacco derivatives, laboratories	Law no. 9782/1999	ANVISA – National Agency of Sanitary Vigilance http://www.portal.anvisa.gov.br	Alúdimá de Fátima Oliveira Mendes presidencia@anvisa.gov.br
15	Electrical energy	Law no. 9427/1996	ANEEL – National Agency of Electric Energy http://www.aneel.gov.br	Nelson José Hübner Moreira
16	Radiography machines, radioprotection	Law no. 4118/1962	CNEN – National Commission of Nuclear Energy http://www.cnen.gov.br	Odair Dias Gonçalves presidencia@cnen.gov.br
17	Spatial programme and satellites	Law no. 8854/1994	AEB – Brazilian Spatial Agency	Carlos Ganem presidente@aeb.gob.br

<i>No.</i>	<i>Sector</i>	<i>Legislative act</i>	<i>Authority in charge</i>	<i>Contact</i>
			http://www.aeb.gov.br	
18	Operation of civil airplanes, security of flights	Law no. 11182/2005	ANAC – National Agency of Civil Aviation http://www.anac.gov.br	Solange Paiva Vieira
19	Services of health, health plans and health professionals	Law no. 9961/2000	ANS – National Agency of Supplementary Health http://www.ans.gov.br	Maurício Cechin
20	Production, distribution and screening of films, videos	Law no. 11437/2006	ANCINE – Cinema National Agency http://www.ancine.gov.br	Manoel Rangel
21	Private insurance	Decree-law no. 73 /1996	SUSEP – Superintendence of Private Insurances http://www.susep.gov.br	Paulo dos Santos gabin@susep.gov.br

2. Belarus

<i>No.</i>	<i>Sector</i>	<i>Legislative act</i>	<i>Authority in charge</i>	<i>Contact</i>
1	State surveillance body for compliance with the technical regulations. Control and surveillance of compliance with the requirements contained in the legislation regarding the compulsory conformity	President's Directive no. 510 of 16 October 2009 for "Improvement of controlling activities in Republic of Belarus" (Directive 510 in the following) "Technical rating and Standardization Act" Directive no. 510 "Ensuring the	State Standardization Committee www.gosstandart.gov.by	Belst@anitex.by

<i>No.</i>	<i>Sector</i>	<i>Legislative act</i>	<i>Authority in charge</i>	<i>Contact</i>
	requirements for the goods, services and staff certification. State metrology surveillance	unity of the measurements” Act		
2	State sanitary control for compliance with the sanitary-epidemiological requirements	Directive no. 510 “Safety and quality of the food raw materials and food supplies” Act	Ministry of Health www.minzdrav.by	mzrb@belcmt.by
3	State control of trade, public food deliveries, non-industrial public services, consumer protection and the advertising industry.	Directive 510 Sales Act; Consumer Protection Act.	Ministry of Trade www.mintorg.gov.by	Mintorgb@mail.belpak.by
4	Control of the veterinary and sanitary quality of the food products with the animal origins, animal foods, incl. additives. Control and surveillance of the quality of the food raw materials and food supplies in production, storage or export.	Directive 510; Veterinary Act	Ministry of the Farming and Food Supplies www.mshp.minsk.by	kanc@mshp.minsk.by
5	Compliance control with customs regulations when moving goods across the Belorussian borders.	Directive 510 Custom Codex	State Customs Committee www.customs.gov.by	odo@gtk.belpak.minsk.by

3. Cyprus

<i>No.</i>	<i>SECTOR/Ministry</i>	<i>EU legislation</i>	<i>Authority in charge</i>	<i>Contact</i>
1	Ministry of Commerce, Industry and Tourism	88/378/EEC 2001/95/EC	Competition and Consumer Protection Service	Dimitis Papamichail dpapamichail@mcit.gov.cy
		90/384/EEC 2004/22/EC	Weights and Measures Service	Ntinis Hadjiconstantinou nhadjiconstantinou@mcit.gov.cy
2	Ministry of Communications and Works	90/396/EEC 99/36/EC 2000/9/EC 75/324/EEC 2006/95/EC 2004/108/EC	Department of Electrical and Mechanical Services	Constantinos Constantinou Andreas Louka cconstantinou@ems.mcw.gov.cy alouka@ems.mcw.gov.cy
		94/25/EC	Department of Merchant Shipping	Violeta Kyriakidou vkyriakidou@dms.mcw.gov.cy
3	Ministry of Agriculture, Natural Resources and Environment	2000/14/EC	Department of Environment	Pavlos Pavlou ppavlou@environment.moa.gov.cy
		93/15/EEC 2007/23/EC	Inspectorate of Explosive Substances	Erotokritos Anastasiades mineshead@mines.moa.gov.cy
4	Ministry of Interior	89/106/EEC	Construction Products Sector, Technical Services	Kyriacos I. Kouros kkouros@moi.gov.cy
5	Ministry of Labour and Social Insurance	95/16/EC 97/23/EC 87/404/EEC 89/686/EEC 94/9/EC 2006/42/EC	Department of Labour Inspection	Marios Kourtellis mkourtellis@dl.mlsi.gov.cy
6	Ministry of Health	93/42/EEC 98/79/EC 90/385/EEC	Cyprus Medical Devices Competent Authority	Androulla Stylianou cymda@mphs.mph.gov.cy