"Goods Package", reinforcing the internal market and consumer protection.

19.02.2008: Following a first-reading agreement with Council, MEPs today discussed three reports by the Committee on the Internal Market and Consumer Protection, on the Goods Package presented by the Commission, involving rules for future revisions of individual Directives in the so called harmonised area (which includes toys, electrical equipment, computers etc) (Rapporteur, Christel SCHALDEMÖSE), an immediate strengthening of the European system for accreditation and market surveillance, and of the CE-mark (Rapporteur, André BRIE), and for improving the free movement of products which are not subject to Community harmonisation measures (e.g. bicycles, ladders, scaffolding, articles of precious metals, childcare articles, tanks and containers, etc) (Rapporteur, Alexander STUBB).

Ms Arlene McCarthy, Chair of the Committee on Internal Market and Consumer Protection, stated: "With the adoption of this important Package, the free movement of goods within the EU, a cornerstone of the Internal Market, will be substantially reinforced. Businesses, and in particular, SMEs, will find it easier to sell their products across borders. At the same time, consumers will benefit from a greater offer of high quality and in particular, safe products. For the first time, there will be a Community-wide structure for accreditation, an important element in ensuring safety and mutual recognition of products, and for market surveillance."

The Decision on a common framework for the marketing of products

This Decision provides a framework for future harmonisation legislation that shall ensure that only safe products which comply with all applicable legislation are allowed to circulate in the EU market.

One of the key issues for the European Parliament has been to ensure that all economic operators involved - manufacturers, importers and distributors alike - are to be increasingly responsible for assuring the compliance and safety of the products they circulate in the market, as well as for the accuracy of products information supplied.

Another key issue for the European Parliament has been to strengthen the current CE-marking system, so as to enhance consumers' knowledge of and confidence in products bearing a CE mark. Furthermore agreeing that the CE marking should remain the only marking expressing conformity with applicable requirements, the Commission has been invited by the European Parliament to look more in detail at the option of creating a European consumer safety mark.

"These new laws strengthen obligations of manufacturers, importers and distributors and give legal protection to the CE marking, meaning manufacturers and importers will be legally liable, and can therefore be prosecuted, if they abuse the CE mark. The laws also bring tougher sanctions and require stronger and better market surveillance action from Member States. Together they will have a very positive effect on the level of safe products on the EU market" says
IMCO Chairwoman Arlene McCarthy.

**The Regulation on accreditation and market surveillance**

The Regulation establishes a framework for accreditation and market surveillance of products within the so-called harmonised area, which substantially reinforces the powers of national market surveillance authorities and enables cooperation both between them both within the Community and with the competent authorities of third countries. The Regulation also incorporates and updates existing rules on controls of products entering the Community market. To further reinforce market surveillance, Parliament also amended the General Product Safety Directive, so that the national market surveillance authorities must take appropriate measures against consumer products representing a serious risk. The accreditation system established by the Regulation will work as a model for similar systems worldwide. The new rules will come into effect on 1 January 2010.

**IMCO Chairwoman Arlene McCarthy, commented:** "The final outcome represents a real improvement of the accreditation structure, as well as providing a much-needed coherent framework for market surveillance. The law also demonstrates Parliament's commitment to improving and simplifying Community legislation. Member States must act promptly to adapt their national structures where necessary, to the benefit of the European consumer, European industry and the Internal Market."

**The Regulation on mutual recognition**

Technical obstacles to the free movement of goods within the EU are still widespread, as a consequence of applying to products coming from other Member States where they are lawfully marketed, national technical rules that lay down requirements to be met by such products such as form, size, weight, composition, presentation, labelling, packaging, double testing and controls etc. These technical barriers account for almost 50% of all the barriers encountered by businesses when trading across borders.

"Despite all the progress made as regards the internal market in goods after 50 years of the Rome Treaty, there is still too much bureaucracy, red tape and uncertainty involved in the trading of certain products within the EU, in particular for SMEs, due to remaining technical trade barriers in the non-harmonised area of products."

*It is imperative to ensure that products, which are not harmonised at Community level, may circulate freely across borders. The compromise text agreed with Council on the Regulation on mutual recognition strikes the right balance as regards the rights and obligations of, on one hand, competent authorities in the Member States and, on the other, the economic operators wishing to sell in a Member State products lawfully marketed in another Member State. It puts in place clear procedures which will bring legal certainty both to competent authorities and economic operators and it will avoid a great deal of costs faced by businesses when trading across borders.”* says the Chair of the IMCO Committee.

The vote on these reports will take place on Thursday 20 February.