



**PROSAFE**

Joint Actions  
Best Practice

# 10 Years of Joint Market Surveillance Actions

IMCO Committee EP

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*Nicolaas Olie*

*Executive Director*

# 10 Years of Joint Market Surveillance Actions

*Who am I ?*

*About PROSAFE*

*Why Joint Actions ?*

*Results*

*Lessons learned*

*Wider use of Joint Actions*

## Who am I ?

- Nicolaas B.M. OLIE (1947)
- Organic Chemistry, TechUniv Delft (NL), MSc 1971
- 1973 Food Industry
- 1984 Market Surveillance Food & Non-Food
- 1991 Co-founder of PROSAFE
- 2005 Independant consultant (Czech, Turkey, Lebanon)
- 2010 PROSAFE (CEO)

## IMCO about PROSAFE

*6. Emphasises the necessity of (.....) joint cooperation, pooling of know-how and sharing of best practices among market surveillance authorities; (.....) recognises the important contribution made today by **PROSAFE** as regards the coordination of joint market surveillance actions and the exchange of tried and tested practices in the framework of the GPSD; therefore calls on the Commission to consider under what conditions **PROSAFE** could serve as platform for an extended coordination between Member States for harmonised and non-harmonised products; considers it necessary to establish a legal basis and to allocate sufficient resources to **PROSAFE** to carry out this task; points out that coordination through **PROSAFE** today is restricted by limited resources and its informal structure;*

(European Parliament resolution of 8 March 2011 on the revision of the General Product Safety Directive and market surveillance (2010/2085(INI))

## About PROSAFE

- Started in 1991 by Market Surveillance officials
- Legal body since 2002
- Private, NGO, not-for-profit
- 2005 First JA: EMARS - general aspects of MarSurv
- 2005 - 2015 : 37 (consumer) products, in 21 JAs
  - : >34.000 MS Wdays (~M€ 5,9)
  - : ~M€ 13,8 EU funding
- Participants: all EU Member States and  
2 eligible EFTA Member States
- Priority: MarSurv cooperation, product safety
- PROSAFE Office in Brussels, 4 fte staff

## Why Joint Actions ?

- 1 EEA legislation  $\Leftrightarrow$  31 MS MarSurv regimes
- Free movement of goods, incl. noncompliant and dangerous !
- Uneven enforcement undermines the single market => no level playing field for business
- Advantages:
  - Coordinated sampling and testing (efficiency)
  - Consistent interpretation possible
  - **Harmonised enforcement** (effectiveness)

## Joint Actions until 2011: single product/issue actions

- EMARS 1
- EMARS 2
- Extension cords
- Playground equipment
- Cords & Drawstrings
- Lighting chains
- Sunbeds & Solaria 1 & 2
- Toys 1 (XFR equipment)
- Baby Walkers
- Helmets
- Child Appealing Appliances
- Lighters 1 & 2



## Joint Actions after 2011

- Multiple product activities (4 - 6)
- Priority setting necessary
- Increasing test budget
- Method development and Horizontal Issues  
(Risk assessment, e-learning, mutual reviews, 2 workshops,  
2 conferences)
- Project management and coordination  
(Implementation and reporting more efficient)
- **Dissemination of results also to other MSAs**

## Multiple Product JAs Overview

- ❖ JA2010: 24 MS/24 Auth., 5 prod., M€ 1.4 - 3462 Wdays
- ❖ JA2011: 19 MS/28 Auth., 4 prod., M€ 1.7 - 3995 Wdays
- ❖ JA2012: 24 MS/31 Auth., 5 prod., M€ 1.5 - 3328 Wdays
- ❖ JA2013: 22 MS/25 Auth., 5 prod., M€ 1.6 - 3664 Wdays
- ❖ JA2014: 27 MS/35 Auth., 5 prod., M€ 2.0 - 4562 Wdays
- ❖ **JA2015: 28 MS/39 Auth., 5 prod., M€ 2.5 - 5400 Wdays**

## Joint Actions : The Profile

- Project Leader from MS
- Independent consultant as Coordinator
- Implementation plan etc. made up with participants
- 5 - 6 meetings in about 26 months
- Collective sampling program
- Implementation by MarSurv Authorities
- Lab testing coordination (call for tender)
- Member States enforcement (!)
- JA Reporting by PROSAFE
- (PROSAFE Office: administrative and financial issues)

## Products in JAs after 2011

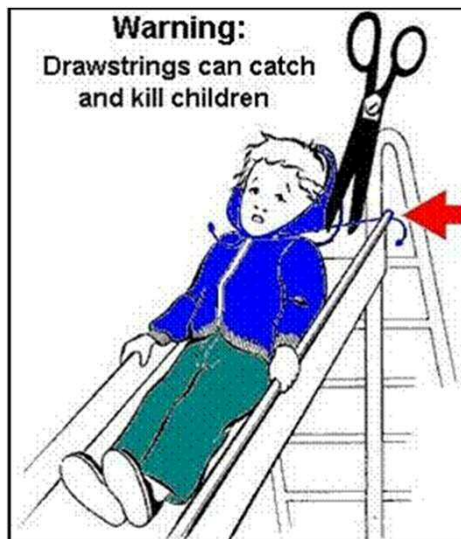
- Ladders 1
- Visibility clothing
- Laser pointers
- Food imitations
- Fancy dress
- Battery chargers
- Fireworks 1
- Child care articles (CCA) 1
- Nanotechnology in cosmetics
- Ladders 2
- CO detectors
- CCA 2
- Lawn mowers
- Smoke detectors
- Toys 2
- Chemicals in clothing
- CCA 3
- Kick scooters
- LED/CFL
- Fireworks 2
- Toys 3
- CCA 4
- Handheld power tools 1
- JACHina1
- JACHina2

## Results

- EMARS 1 & 2
- The *Book*
  - Risk Assessment database
  - Corrective Action Guide
  - Rapid Advice Forum
  - CIMS (peer reviews)
  - Training strategy and materials

## Results

- Cords & Drawstrings



- 2009 :
  - > 16.000 garments checked
  - About 2200 non-compliant **(13,4%)**
  - 500 RAPEX notifications (2009)
  - Checklist for customs and MSAs
  - Outreach to CEN
- 2013
  - 10981 garments checked
  - 790 non-compliant **(7,2%)**
  - No serious risks found

## Results

- CO detectors (2014)
  - 81 inspected, 25 sampled
  - 24 with high/serious risk !!!
  - All recalled/withdrawn
- Fireworks 1 (2013)
  - 138 samples tested, 2 labs
  - 40% failed physical tests
  - 17% failed labelling/markings
  - Ignition - functioning - stability
  - Second action in 2015/2016

## Results

- Toys1
- for children < 36 months
  - Small parts and magnets
  - Heavy metals



- >1.400 inspections at economic operators
- >14.000 toys inspected
- 580 samples, **200 failed**
- 2000 toys screened with XRF, 230 chem analysis, **17 failed**
- Guidance for on-site investigations
- Guidance for XRF screening
- Guidance for intervention policy



## Results

- Child Care Articles (2013)
  - Wheeled child conveyances
    - 51 samples tested
    - 12 with high/serious risk
    - All recalled/withdrawn
  - Baby Bathtubs
    - 43 samples tested
    - 8 with high/serious risk
    - All recalled/withdrawn

## Joint Actions : Lessons Learned (1)

### What works well ?

- No more than 10 - 12 participants per activity
- Division of tasks
- Collective (sampling and) testing program
- Feedback to standardisation
- Corrective actions and the ability to impact specific markets

## Joint Actions : Lessons Learned (2)

### What works well ?

- Framework concept is efficient
- Management info necessary
- Frequent teleconferences
- Interim feedback to MSAs

## Joint Actions : Lessons Learned (2)

### What works well ?

- Framework concept is efficient
- Management info necessary
- Frequent teleconferences
- Interim feedback to MSAs
- Exchange of experience / mutual education between MS Authorities
- **MarSurv Authorities: feel being taken more serious (!)**

## Wider use of Joint Actions

- Is this concept transferable to other areas ?

**YES,**

but with conditions:

- Willingness to cooperate
- Clear criteria & standards
- Experienced coordinators and activity leaders
- Sufficient budget for testing
- Necessary infrastructure available

## Wider use of Joint Actions

- Recently PROSAFE received a Grant for an Action under the DG ENER Horizon 2020 program: **EEPLIANT** (2,5 M€)
- Also a Grant for **JAMach14** for professional products is expected (DG Growth)
- Recently a new proposal was submitted for an Action under Horizon 2020: **MSTyr15**
- Before 9 Sep 2015 a proposal will be submitted to Chafea for **JA2015**

## Obstacles & Challenges

- Reduced number of staff
- Reduced budgets for testing, if any
- Differences in legal systems
- Differences in enforcement culture/tradition
- JA participation extra work ?
- Multiple JA participation
- Collective multi-annual planning needed

***Thank you for your attention  
and your questions !***

[www.prosafe.org](http://www.prosafe.org)

[info@prosafe.org](mailto:info@prosafe.org)